# AGENDA

Town of Lunenburg Council Meeting

Tuesday, August 25, 2020 at 2:00 p.m. – 4:00 p.m.

Zoom/YouTube Live Broadcast

1. Call to order – *Mayor Rachel Bailey.*

2. Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People – *Mayor Rachel Bailey.*

3. Agenda - *motion to approve.* ***(Note: priority agenda items are bolded below with additions made August 24).***

4. July 28 and August 18, 2020 Council meeting minutes - *motion to approve*.

5. Public Hearings, Presentations and Questions

    a. **Lunenburg Cultural Action Plan presentation by Rebecca Cann, Consultant**.

6. Correspondence, Petitions and Proclamations consideration

    a. Lunenburg Waterfront Symposium 2020 Report;

    b. 2019-20 Annual Report for Property Valuation Services Corporation;

    c. Notice of Provincial Tourist Accommodation Registry by Department of Business;

    d. VON Lunenburg thank you letter for the Town's 2020/21 Grant;

    e. Provincial Beautification Funding partial approval notification (Tannery Road = $7500 vs. $15,000 and Brook Street = $5000 vs. $10,000 applications which will be modified accordingly); and

    f. Letter from Minister of NS Fisheries regarding marine debris clean-up program.

7. Business arising from the Minutes/Unfinished Business

    a. Corporate Services

        i. **Municipal and CSAP elections 2020**

            - **Alternative Voting Bylaw and election draft resolution**

- **Delegation of Election Workers Fees draft resolution**

ii. Revised Parking Meter Bylaw – *consideration of public submission from Lunenburg Legion regarding Veterans' parking and second/final reading and public advertisement of the adoption of the revised Bylaw*;

iii. Hack and Trolley Bylaw amendments - *consideration of public submissions (nil) and second/final reading and public advertisement of the adoption of the Bylaw amendments*;

iv. Street Encroachment for Building Access Bylaw amendments – *consideration of public submissions(nil) and second/final reading and public advertisement of the adoption of the Bylaw amendments*;

v. **Blockhouse Hill development proposal Redmond Properties/3007464 Nova Scotia Inc. – *staff report*;**

vi. **Anti-racism Special Committee proposal – *staff report*;**

vii. Proposed amendments to the NS Heritage Property Act - *staff report*;

viii. **Lunenburg Doc Fest Grant Application *(was inadvertently missed in the Grant application list - $1385 Grant balance remaining)*;** and

ix. South Shore Field House Society Grant Application *(new application - $1385 Grant balance remaining)*.

b. Public Works Department

i. May 2020 Water Utility and Wastewater treatment results and general information - *staff report*; and

ii. LGBTQ+ crosswalk painting initiative – *discussion*.

c. Fire Department

i. Fire Department request for approval to pay for additional pumper/tanker Fire truck expenditures from the current sale proceeds of surplus trucks *(additional costs = $2,794; total proceeds = $80,001; balance = $77,207).*

8. Committee Meeting Minutes, Recommendations, Reports and Notices of Motion

a. Lunenburg County Regional Emergency Measures Organization July 20 meeting minutes - 1 x recommendation/Deputy Mayor;

b. Comprehensive Community Plan Steering Team June 10, July 8 and August 12 meeting minutes;

**c. Waste Reduction Strategy Working Group June 3 and 17 minutes <u>and</u> Waste Reduction Strategy Report – *Susan Sanford submission in response to proposed elimination of plastic based municipal election signs;***

d. Joint Occupational Health and Safety Committee July 9 meeting minutes;

e. General Government July 16 meeting minutes – *4 x notices of motion/Councillor Mosher and Deputy Mayor; and*

f. Lunenburg War Memorial Community Centre/Recreation Committee August 12 meeting minutes – *1 x recommendation/Councillor Bachman.*

9. <u>New Business</u>

   a. <u>Corporate Services</u>

      i. Lunenburg Academy Exterior Restoration Project – *staff report*; and

      ii. Cultural Action Plan presentation by Rebecca Cann, Consultant - *discussion*.

   b. <u>Public Works Department</u>

      i. Paula Baker request to remove a Town tree at 26 Linden Avenue at her expense and replant another tree for a new driveway.

10. <u>Consideration of Council in camera meeting August 25, 2020 recommendations and notices of motion</u>

- Recommended to deny Travel Lunenburg's (Lunenburg Walking Tours) request for early termination of their lease and Class Afloat's request for a rental reduction to $300 per month for the period July 1, 2020 to June 30, 2021.
- Recommended to provide a 25% Landlord rent reduction program for the for-profit businesses that are tenants of the Town on condition that they complete a program application meeting criteria similar to the Town's COVID-19 property tax relief program.

11. <u>Adjournment</u> – *motion to approve*.

*<u>Agenda items awaiting staff reports, etc. for further consideration</u>*

| **<u>Agenda Item</u>** | **<u>Department</u>** | **<u>Council Meeting Assigned</u>** | **<u>Status</u>** |
|---|---|---|---|
| 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 |
| Tannery Road sidewalk project | Public Works | May 12, 2020 | Public Works preparing a revised staff report |
| Nova Scotia Environment Department inquiry about process to expand the watershed boundary to include the full natural watershed | Public Works and Corporate Services | June 9, 2020 | NS Environment to provide information about watershed expansion process |

# TOWN OF LUNENBURG COUNCIL MEETING MINUTES

## TUESDAY, JULY 28, 2020 AT 2:00 P.M.

## VIA AUDIO/VIDEO CONFERENCE DURING COVID-19 PANDEMIC

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

**ALSO PRESENT:** Paul Bracken, Facilities Superintendent
Pat Burke, Q.C., Town Solicitor/Returning Officer
Kelly Cunningham, Recreation Director
Lisa Dagley, CPA, CGA, Finance Director
Arthur MacDonald, Heritage Manager
Heather McCallum, Assistant Municipal Clerk
Bea Renton, Chief Administrative Officer
Dawn Sutherland, Planning/Development Manager
Ian Tillard, P. Eng., Town Engineer

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➢ Call to order

The Mayor called the meeting to order at 2:00 p.m. and welcomed everyone.

➢ Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People

The Mayor gave introductory remarks respecting the unceded territory of the Mi'kmaq People.

1. Agenda

Motion: moved by Councillor Risser, seconded by Councillor Croft to approve the agenda with the addition of another draft Council election resolution for consideration at the request of the Returning Officer. Motion carried.

2. June 23 and July 9 and 21, 2020 Council meeting minutes

Motion: moved by Councillor Mosher, seconded by Councillor Bachman to approve the June 23 and July 9 and 21, 2020 Council meeting minutes. Motion carried.

3. Public Hearings, Presentations and Questions

   a. Donna Kelly, President, Royal Canadian Legion Branch 23, regarding proposed Parking Bylaw amendments to clarify that Veteran plated motor vehicles can park free of charge at metered parking spaces for no more than the posted maximum time duration

Ms. Kelly addressed Council regarding the proposed amendment to clarify the parking meter fee exemption period (Schedule "A").

Council thanked Ms. Kelly for her presentation and advised that her submission will be taken into consideration later in the agenda when the fuller Bylaw amendments are being reviewed.

   b. Jessika Hepburn, Lunenburg, regarding response to petition to rename Cornwallis and Creighton Streets and additional initiatives

Ms. Hepburn provided a summary of her presentation including a petition to rename the two streets (Schedule "B").

The Mayor stated that the Town Council is opposed to racism and discrimination in any form. Council advised that her submission will be dealt with further in the agenda and she will be informed of Council's decision in due course.

4. Correspondence, Petitions and Proclamations consideration

   a. Region 6 Solid Waste Management $5400 approved funding for the purchase of three street litter sorting stations

Receipt of this funding was received with thanks by Council.

   b. Nova Scotia Communities, Culture and Heritage letter requesting comments to their proposed Heritage Property Act amendments respecting removal of authority to demolish a Municipal heritage property after a three year period if initially disallowed by the municipality **and** development deferral authority for one year when a heritage conservation plan and bylaw are being prepared

Motion: moved by Councillor Risser, seconded by Councillor Mosher that staff prepare a draft response to this document (Schedule "C") for Council review and approval before submission to the Province before the September 30 deadline. Motion carried.

   c. Municipality of the District of Lunenburg notice of their public hearing to transfer the roles of their Area Advisory Committees to their Planning Advisory Committee for which they must advise abutting municipalities

This document was received for information.

d. Provincial Volunteer Awards notice of September 28 virtual event

This notice was received for information.

e. Organization of World Heritage Cities letter requesting the Town to join for $2,127 US

The membership application was acknowledged with thanks, but unfortunately there are not the monies to join the Organization at this time.

f. Department of Municipal Affairs and Housing 2019 Municipal Profile and Financial Condition Indicators Report for the Town of Lunenburg with nine "Low risk" and two "Moderate risk" and "High risk" indicators

The Finance Director commented on the Town's further improved financial condition (Schedule "D") noting in part: nine green positive indicators were received for such items as Budget Accuracy, Tax Collection and Debt Servicing; the red indicators were for Reserve fund development which is common amongst NS Towns which have the majority of municipal infrastructure to maintain – for the Town this would require a further reserve investment of $1.2 Million; to achieve an overall Low risk rating the Town would have to realize one more green indicator – 73% of NS Towns are in moderate to high risk; the results underscore the importance of a Provincial reevaluation of municipal equalization grants of which the Town of Lunenburg receives the lowest level at $50,000.

g. Lunenburg Academy Foundation letter of approval of Town Capital funding requests

The Mayor thanked the Foundation for their ongoing support of these Lunenburg Academy restoration projects.

h. Petition to rename Cornwallis and Creighton Streets and 7. New Business, a. Corporate Services, i. Response to petition to rename Cornwallis and Creighton Streets

Council discussed the possibility of forming a Special Committee to address the issues and actions raised in Ms. Hepburn's submission through a preliminary staff report. The Mayor noted that she and staff recently participated in the NSFM's *Creating Municipal Action Plans for Ending Racism and Discrimination* July 23 webinar.

Ms. Hepburn's advice regarding preparation of a staff report was requested by Council. Ms. Hepburn commented that she serves on a Shelburne Committee regarding racism issues and emphasized the need for an inclusive and collaborative approach with representative membership and advisors who are fairly compensated for their time.

Motion: moved by Councillor Risser, seconded by Councillor Bachman for staff to prepare a Council report in consultation with the appropriate stakeholders and experts with a view to forming a task force or special committee to promote anti-racism, with a particular emphasis on anti-Black and Indigenous racism.

Ms. Hepburn suggested that the preparation of a survey to determine what forms of discrimination have been experienced in the community would be helpful. She advised that the terms inclusion and diversity are much broader than anti-racism and in particular anti-black and indigenous racism as put forward in her submission.

Staff are asked to have a preliminary report ready for the August 25 Council meeting.

Council asked that Project Lunenburg be made aware of Ms. Hepburn's submission.

Ms. Hepburn indicated she will review their draft Project Lunenburg *Comprehensive Community Plan* to offer comments.

The motion was put and passed.

3:17 p.m. – Council recessed until 3:27 p.m.

5. Business arising from the Minutes/Unfinished Business

   a. Corporate Services

      i. Municipal and CSAP elections 2020 proposed resolutions

         - Resolution #1 – amendment to the draft Alternative Voting Bylaw to address spoiled and rejected ballots

The Returning Officer/Town Solicitor provided an overview of the various draft resolutions noted below. He explained that voting can take place by computer or phone and Town election workers will be available at the Town Hall during the advance poll and election days to vote with assistance or the use of a Town device if they do not own a computer, phone or have internet access.

Motion: moved by Deputy Mayor McGee, seconded by Councillor Croft that:

WHEREAS:

1. On the 23rd day of June, 2020, the Town Council gave first reading of the Alternative Voting Bylaw.

2. It is deemed prudent to amend the Bylaw which was given first reading with respect to the provisions concerning rejected ballots and spoiled ballots.

BE IT RESOLVED THAT:

1. the Alternative Voting Bylaw which was given first reading shall be amended by:

   a. Deleting the words in clause 2(w) [definition of rejected ballot] after the word "means" and substituting the following words therefor: "the refusal by an elector to accept a ballot in a race";

   b. Inserting a definition for a spoiled ballot as clause 2(ab) after clause 2(aa) as follows: "spoiled ballot" means an internet ballot or telephone ballot that is accepted by the elector that:
      i. is not marked for any candidate in a race; or
      ii. is marked by an elector indicating a refusal to cast a vote for any candidate in a race;

   c. Clause 14(2) shall be amended by inserting the words "count spoiled ballots and shall" after the word "shall" in line two thereof.
   d. In clause 15, the word "rejected" shall be deleted and the word "spoiled" shall be substituted therefor.

   Motion carried.

- Resolution #2 - second and final reading of the draft revised Alternative Voting Bylaw to be effective on the date of public advertisement

Motion: moved by Deputy Mayor McGee, seconded by Councillor Croft that:

WHEREAS:

a) The COVID -19 Pandemic will create significant challenges and risks associated with a paper balloting election.

b) First reading of the Alternative Voting Bylaw took place at the Council Meeting on June 23, 2020.

c) The proposed Alternative Voting Bylaw was amended earlier at this meeting with respect to spoiled ballots and rejected ballots.

BE IT RESOLVED THAT:

i. Second reading of the Alternative Voting Bylaw attached hereto as Schedule "AVB2" (as amended earlier at this meeting) is hereby given and the Bylaw is hereby passed.

ii. The Bylaw shall have the force of law upon publication and the CAO/ Clerk is directed to publish a notice in the Progress Bulletin stating the object of the Bylaw, and where it may be read (Schedule "E").

Motion carried.

- Resolution #3 – date for Revising Officer to provide the List of Electors

Motion: moved by Deputy Mayor McGee, seconded by Councillor Croft that:

**WHEREAS** Municipal and CSAP School Board Elections will be held on October 17, 2020.

**AND WHEREAS** pursuant to Section 38 of the Municipal Elections Act the Revising Officer shall furnish the Returning Officer with a list of Electors consisting of the Preliminary List of Electors together with the amendments made to the list as a result of the revision sittings on or before the date chosen by Council on the advice of the Returning Officer.

**AND WHEREAS** the Returning Officer, Patrick A. Burke, Q.C., has recommended the date of August 24, 2020,

**BE IT RESOLVED THAT** pursuant to section 38(1) of the Municipal Elections Act, Heather McCallum as Revising Officer for the Town of Lunenburg shall, on or before August 24, 2020, furnish Patrick A. Burke, Q.C., the Returning Officer, with a list of Electors consisting of the Preliminary List of Electors together with the amendments made to the lists as a result of the revision sittings.

Motion carried.

- Resolution #4 – determining the only means of voting by telephone and personal computing device

Motion: moved by Deputy Mayor McGee, seconded by Councillor Bachman that:

WHEREAS:

a) The Town has passed an Alternative Voting Bylaw, which becomes effective upon publication; and

b) Section 3(2) of the Bylaw provides that 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.

BE IT RESOLVED THAT for the 2020 Municipal and CSAP School Board

elections, voting by telephone and by a personal computing device (via the internet) shall be the only means of voting.

Motion carried.

- Resolution #5 – contract with Intelivote Systems Inc.

Motion: moved by Councillor Risser, seconded by Councillor Mosher that:

WHEREAS:

a) The Town has passed an Alternative Voting Bylaw, which becomes effective upon publication;

b) Intelivote Systems Inc. has provided a quote for electronic voting services dated May 28, 2020 and attached hereto as Schedule “ISinc1"; and

c) It is proposed that the Town enter into a contract with Intelivote Systems Inc. for electronic voting services (in the form attached hereto as Schedule "1Sinc2").

BE IT RESOLVED THAT the Town enter into a contract with Intelivote Systems Inc. for electronic voting services for the 2020 Municipal and CSAP School Board Elections in the form attached hereto as Schedule "1Sinc2", and the Mayor and CAO/Clerk are authorized to execute the contract on behalf of the Town and affix the municipal seal thereto (Schedule “F”).

Motion carried.

- Resolution #6 – Information Sharing Agreement with Intelivote Systems Inc. to use information to protect the confidentiality of the election material and data

Motion: moved by Councillor Risser, seconded by Councillor Bachman that:

WHEREAS:

a) The Town is engaging Intelivote Systems Inc. to provide services in relation to Electronic Voting; and

b) The Town and the Chief Electoral Officer have entered into an Information Sharing Agreement that requires any other supplier, contract or consultant who may require use of the information to enter into an Agreement incorporating the provisions of the Information Sharing Agreement.

BE IT RESOLVED THAT the Town shall enter into the contract attached hereto

as Schedule “ISinc3” and Bea Renton, CAO/Clerk is authorized to execute the Agreement on behalf of the Town (Schedule “G”).

Motion carried.

- Resolution #7 – Returning Officer fee increase of $2000 to conduct an alternative voting election

Motion: moved by Deputy Mayor McGee, seconded by Councillor Bachman that:

WHEREAS:

1. The Town established the Returning Officer's fee at a time when it was assumed that the election would be conducted by in-person paper ballot voting.

2. The COVID-19 pandemic has caused Council to pass an Alternative Voting Bylaw and to determine that the election would involve voting via the internet and telephone only.

BE IT RESOLVED THAT:

a. The Returning Officer's fee, as established by resolution dated November 26, 2019, shall be increased by $2000, plus HST; and

b. For clarification, the work by Patrick A. Burke, Q.C. in connection with the research, drafting, Council Meeting attendance, letters and associated work related to the drafting and passage of the Alternative Voting Bylaw, as well as legal opinions related to the election, shall be billed by him to the Town at his regular Town hourly rate [in his capacity as Town Solicitor and not as Returning Officer].

Motion carried. Councillors Croft and Mosher voted in the negative.

- Resolution #8 – Advance Polls and Alternative Voting days

Motion: moved by Councillor Risser, seconded by Councillor Croft that:

WHEREAS Municipal and CSAP School Board elections will be held on October 17, 2020.

AND WHEREAS Council, earlier on this date, haspassed an Alternative Voting Bylaw which will become effective upon publication.

**AND WHEREAS** "advance poll" means the Tuesday immediately preceding

ordinary polling day (Tuesday, October 13, 2020) as well as one other day that is fixed by Council, being either Thursday the 9th day before ordinary polling day (October 8, 2020) or Saturday the 7th day before ordinary polling day (October 10, 2020).

**AND WHEREAS:** "alternative polling days" in the Bylaw means any hours and dates fixed by a Resolution of Council for alternative voting.

**BE IT THEREFORE RESOLVED THAT:**

a. The Advance Poll shall be on Thursday October 8, 2020 and Tuesday October 13, 2020; and
b. The Alternative Polling Days shall commence on Thursday October 8, 2020 at 12:00 noon and end on Saturday October 17, 2020 at 7:00 pm.

Motion carried.

Council agreed to proceed to agenda item #5 b. i. next.

b. Public Works Department

i. Archibald Street sewer main extension request installation cost comparisons and existing sewer main plan

The Town Engineer provided a recap of the staff report (Schedule "H") for Council. The Finance Director advised that Provincial flood mitigation funding was obtained yesterday for another project that could reduce the need for a capital borrowing for this project if the Deed Transfer Tax Reserves for same are reallocated. Council discussed whether the work could be done sooner which the Town Engineer advised he could not do due to other work priorities.

Motion: moved by Councillor Mosher, seconded by Deputy Mayor McGee that the Town pre-approve the 2021/22 Capital budget for the requested Archibald Street sewer main extension from the intersection of Brook and Archibald Streets to 66 Archibald Street to service this property and 58 Archibald Street and staff will do this work in Spring/Summer 2021 when the frost comes out of the ground. Motion carried. Mayor Bailey voted in the negative.

Council agreed to proceed to agenda item #6 e. next.

6. Committee Meeting Minutes, Recommendations, Reports and Notices of Motion

e. Heritage Advisory Committee meeting minutes

Motion: moved by Councillor Mosher, seconded by Councillor Risser to approve the issuance of a Heritage Permit for the installation of a ramp at 10 Falkland Street (Schedule "I") with the following conditions:

1) Provided the ramp is located on the west elevation as submitted; and
2) Provided the ramp is constructed as submitted.

Motion carried.

Motion: moved by Councillor Mosher, seconded by Councillor Risser to approve the issuance of a Heritage Permit for the installation of a metal roof at 111 Townsend Street (Schedule "J") with the following conditions:

1) Provided the metal roof has narrow spacing between ribs - spacing between ribs shall not exceed 18 inches;
2) Provided the metal roof has a medium tone matte colour as submitted in the application and attached;
3) Provided a snow-ice guard is installed along the bottom of the roof's slope in proximity to the fascia board to control large slabs of ice and snow from falling off the roof; and
4) Provided the installation shall be complete and consistent throughout with the exception of the bell tower which is excluded from the application.

Motion carried.

Council agreed to consider agenda item #5. b. iii. next.

5. Business arising from the Minutes/Unfinished Business

b. Public Works Department

iii. Water Treatment Plant roof vent repainting Capital budget increase requirement

Motion: moved by Deputy Mayor McGee, seconded by Councillor Bachman to increase the 2020/21 Capital budget for roof vent painting at the Water Treatment plant from $5000 to $7,500 (Schedule "K"). Motion carried.

Council agreed to deal with agenda item #5. c. i. next.

c. Recreation Department

i. Proposed award of Arena ice resurfacer tender award

Council discussed whether to deal with this report (Schedule "L") at this time as opposed to waiting to determine the Arena ice re-opening time balanced with confirmed

funding sources. Various elements of the tender specification and price differences outlined in the staff report were reviewed by Council.

Motion: moved by Councillor Bachman, seconded by Deputy Mayor McGee that a 2021 Olympia ice resurfacer be purchased from Monarch Enterprise Ltd. at the tendered price of $102,100, plus HST and two blades for $800, plus HST and one propane ice edger for $5,400, plus HST with the capital funding coming from $53,700 of reserves, $20,000 from a Municipality of the District of Lunenburg grant, $25,000 anonymous donation and $9,600 capital from revenue. Motion carried.

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

It was determined that there are no members of the public awaiting to make submissions regarding the publically advertised draft Bylaw amendments. This will be considered at the next Council meeting on August 25 Council in addition to the remaining agenda items noted below.

Motion carried.

The meeting was adjourned at 4:37 p.m.

5. Business arising from the Minutes/Unfinished Business

   a. Corporate Services

      ii. Proposed revised Parking Meter Bylaw – *consideration of public submission(s) and potential second/final reading and public advertisement of the revised Bylaw*

      iii. Proposed amendment to the Hack and Trolley Bylaw - *consideration of public submission(s) and potential second/final reading and public advertisement of the amended Bylaw*

      iv. Proposed amendment to Street Encroachment for Building Access Bylaw - *public submission(s) and potential second/final reading and public advertisement of the amended Bylaw*

      v. Blockhouse Hill development proposal Redmond Properties/3007464 Nova Scotia Inc.

   b. Public Works Department

      ii. May 2020 Water Utility and Wastewater treatment results and general information

6. Committee Meeting Minutes, Recommendations, Reports and Notices of Motion

    a. Waste Reduction Strategy Working Group June 3 and 17 minutes and report – *suggested elimination of plastic based municipal election signage and Susan Sanford submission*

    b. Project Lunenburg Steering Team June 10 minutes

    c. Joint Occupational Health and Safety Committee July 9 meeting minutes

    *d.* General Government July 16 meeting minutes – *4 X notices of motion by Councillor Mosher and Deputy Mayor*

7. New Business

    b. Public Works Department

        i. LGBTQ+ Pride crosswalk painting initiative

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Bea Renton, CAO

# TOWN OF LUNENBURG COUNCIL MEETING MINUTES

## TUESDAY, AUGUST 18, 2020 AT 2:00 P.M.

## VIA AUDIO/VIDEO CONFERENCE DURING COVID-19 PANDEMIC

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**PRESENT:** Mayor Rachel Bailey
Deputy Mayor John McGee
Councillor Danny Croft (left at 2:59 p.m.)
Councillor Ronnie Bachman
Councillor Peter Mosher
Councillor Matt Risser

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

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1. Call to order

The Mayor called the meeting to order at 2:01 p.m. and welcomed everyone.

2. Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People

The Mayor gave introductory remarks respecting the unceded territory of the Mi'kmaq People.

3. Agenda

Motion: moved by Councillor Risser, seconded by Deputy Mayor McGee to approve the agenda. Motion carried.

4. Meet in camera

Motion: moved by Councillor Risser, seconded by Deputy Mayor McGee to recess to meet in camera to consider the sale and lease of Town properties, contractual negotiations and legal information pursuant to section 22, Municipal Government Act. Motion carried.

Council recessed at 2:03 p.m. until 4:23 p.m. to meet in camera.

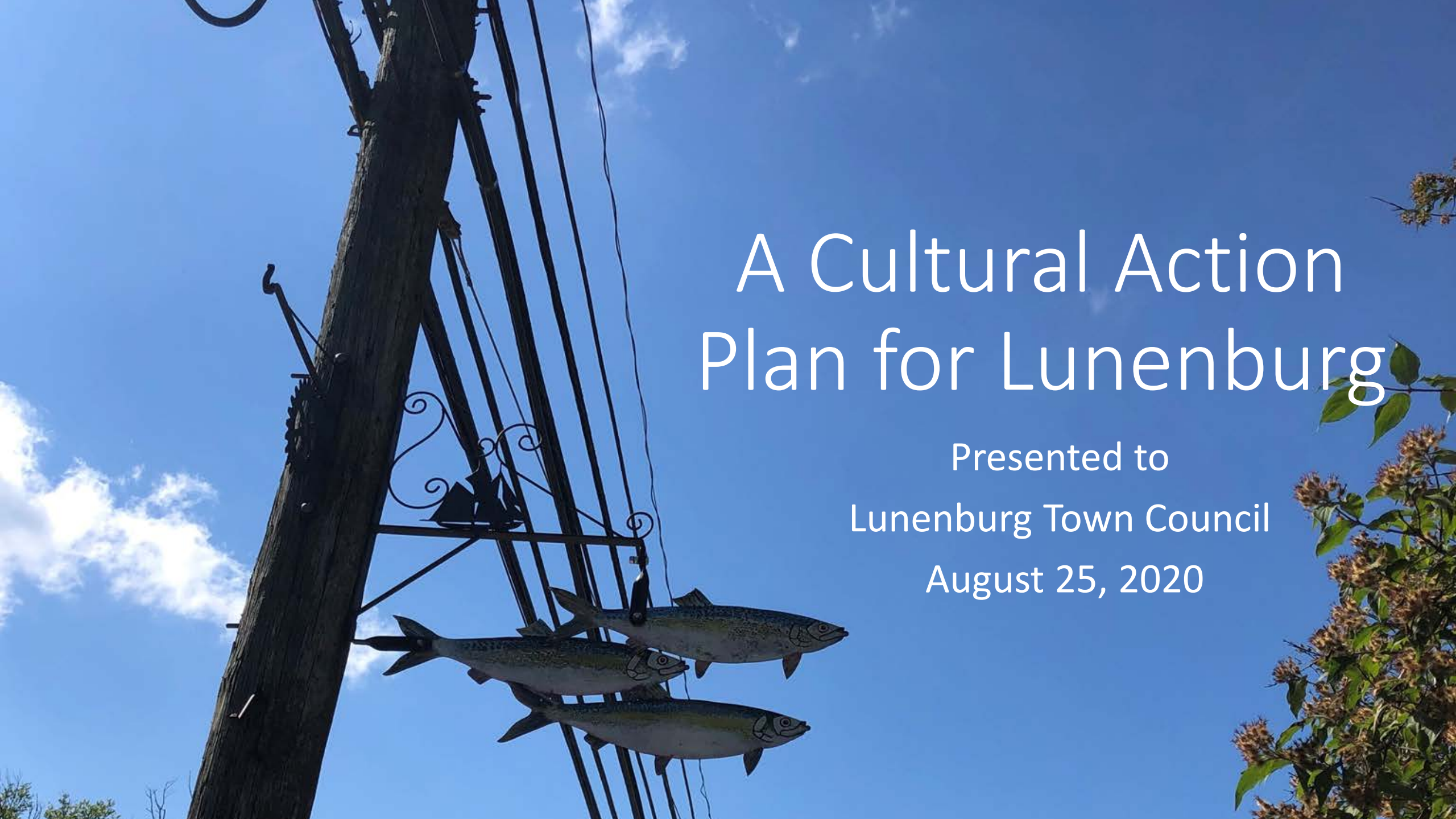
5. Resumption of Council meeting in public session

Council reconvened in public session and advised that any Council in camera meeting recommendations will be dealt with at the August 25 Council meeting.

6. Adjournment

The meeting was adjourned at 4:23 p.m.

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Bea Renton, CAO



# A Cultural Action Plan for Lunenburg

Presented to

Lunenburg Town Council

August 25, 2020

# Introductions

Presenter:

Rebecca Cann, Consultant

Janis A. Barlow & Associates

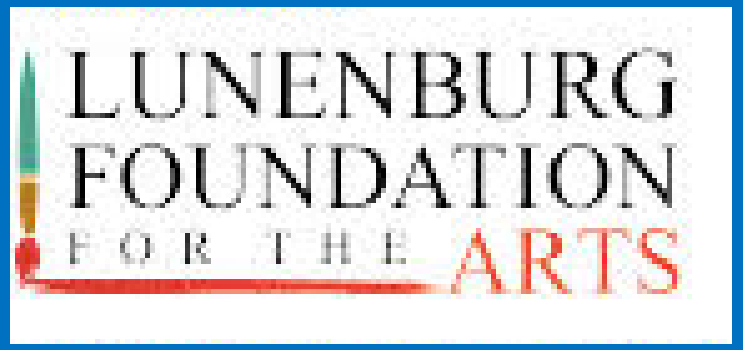



Available for Q & A:

Sheila Woodcock

President, Lunenburg Foundation for the Arts

Chair, Lunenburg Cultural Action Plan Steering Committee



# Cultural Action Plan initiated by community

Lunenburg Foundation for the Arts (LFFA) applied for funding in 2019
Formed the **Lunenburg Cultural Action  Steering Committee** with representatives from:

Fisheries Museum of the Atlantic
Lunenburg Academy of Musical Performance
Lunenburg Art Gallery Society
Lunenburg Board of Trade
Lunenburg Doc Fest
Lunenburg Folk Harbour Society
LFFA
Lunenburg Heritage Society
Lunenburg Town Council
South Shore Players
South Shore Public Libraries
+ 3 independent Artists

# Cultural Vitality

## The Future of Culture in Lunenburg looks like…

Residents and visitors continue to be inspired by Lunenburg’s remarkable history, natural landscapes, built heritage and abundance of arts and festival experiences.



Lunenburg Academy

Inclusivity is prioritized in decision-making: diverse voices and new and different faces are welcomed at all tables in Lunenburg, and the Mi’kmaq are participating in community life.



Nova Scotia College of Art & Design Residency Program

Professional artists and cultural workers build businesses, strengthen existing facilities, organizations and events, and foster innovation.



Lunenburg Academy of Music Performance

Residents of all ages participate in the cultural life of Lunenburg, as leaders, learners, fun-seekers and as community builders.



Lunenburg Art Gallery event

# …and finally, cultural vitality exists when…

Local government, the private sector and the not-for-profit cultural sector work together to support, grow, leverage and integrate cultural activity into long term community sustainability.



Christmas lights at the Heritage Bandstand

# Planning process engaged local community

- Culture-specific survey to residents (112 respondents)
- Survey to Cultural Sector (38 respondents)
- Site Visits
- Interviews (24)
- Community Roundtable (≈35)
- Cultural resource mapping (database)

# Collaboration with Project Lunenburg

- Shared community feedback results – surveys, online, roundtables
- Upland Planning assisted with survey distribution and communications
- Janis A Barlow & Associates provided majority of research for Project Lunenburg public reports



# Lunenburg Cultural Action Plan

## Summary of Content

# “Culture” is defined to include

- Cultural Economic Sector
- Cultural Heritage
- Cultural Diversity
- Community identity



Lunenburg Folk Harbour Festival

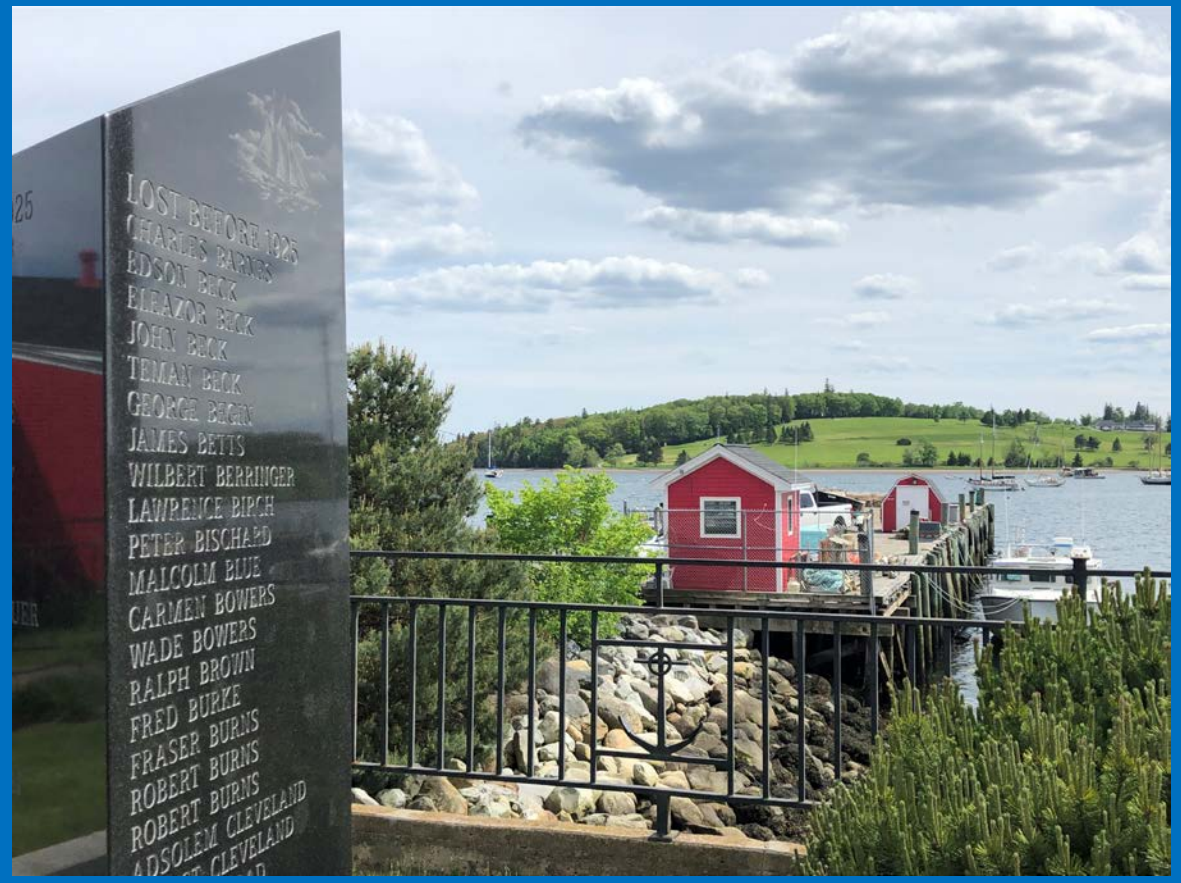
# Key Findings – Lunenburg has

- High number of cultural “assets”
- Higher than national average percentage of arts & culture labour force
- Significant tourism visitation related to cultural assets
- Longstanding, highly successful festivals and museums
- Cultural hub in the rejuvenated Lunenburg Academy



# Key Findings cont’d

- Inclusivity needs more cultivation
- Cultural sector challenged by lack of seasonal housing
- Heavy reliance on volunteers and part-time paid staff
- Performing arts venues are problematic
- There is no civic art gallery
- No central entity supporting the cultural sector’s breadth



# 5 Strategic Directions are recommended

1. Leverage authentic local culture to expand international tourism.
2. Build local engagement with arts, heritage and cultural activity.
3. Foster excellence in cultural stewardship.
4. Cultivate inclusivity.
5. Build a foundation for cultural sustainability.

# 15 Goals supported by

- Specific action items
- Estimated timeframe and complexity
- Recommended bodies to participate, lead actions
- Potential resources

| Appendix 2: ACTION PLAN – TIMELINES, LEADERSHIP, COMPLEXITY AND RESOURCES | | | ESTIMATED TIMEFRAME (SHORT, MID, LONG) | ESTIMATED COMPLEXITY (LOW, MID, HIGH) | WHO | POTENTIAL RESOURCES |
|---|---|---|---|---|---|---|
| **Leverage authentic local culture to expand international tourism** | | | | | | |
| GOAL 1 | Develop collective marketing campaigns that feature local arts, local heritage and culture. | Building on the Cultural Resource Mapping, work with the Board of Trade to develop marketing campaigns that leverage the cultural sector, taking into consideration festivals, cultural sites and arts learning experiences. | Short | Mid | Cultural Roundtable + LBOT | Current marketing strategy of the LBOT, the Cultural resource map/database |
| | | Support and/or manage the volunteer-led Arts Map. | Short | Low | Art Galleries Association of Lunenburg + Cultural Roundtable | LBOT, DCH Canada Cultural Investment Fund — Strategic Initiatives Program https://www.canada.ca/en/canadian-heritage/services/funding/cultural-investment-fund.html |
| | | Improve online materials to reflect local creativity and innovation. | Mid | Mid | Town, Board of Trade | Calendars LBOT & Town. Maybe an app for that |
| GOAL 2 | Measure the economic impact of arts and heritage in Lunenburg. | | Short | Mid | LBOT | Business schools/grad student projects, Town/County/Province |

# Where to Begin?

Goal 15: Work Together.

- Cultural Roundtable of sectoral representatives
- Town of Lunenburg
- Board of Trade



Lunenburg Folk Harbour Festival audience, wharfside

# Request from the Lunenburg Cultural Action Plan Steering Committee

That Town Council endorse the Cultural Action Plan in principal; and

That the Town work with the Cultural Roundtable to:

- investigate resource opportunities
- support implementation of the plan
- Identify other partners to support the plan

# Thank you to the Funders of The Lunenburg Cultural Action Plan

NOVA SCOTIA

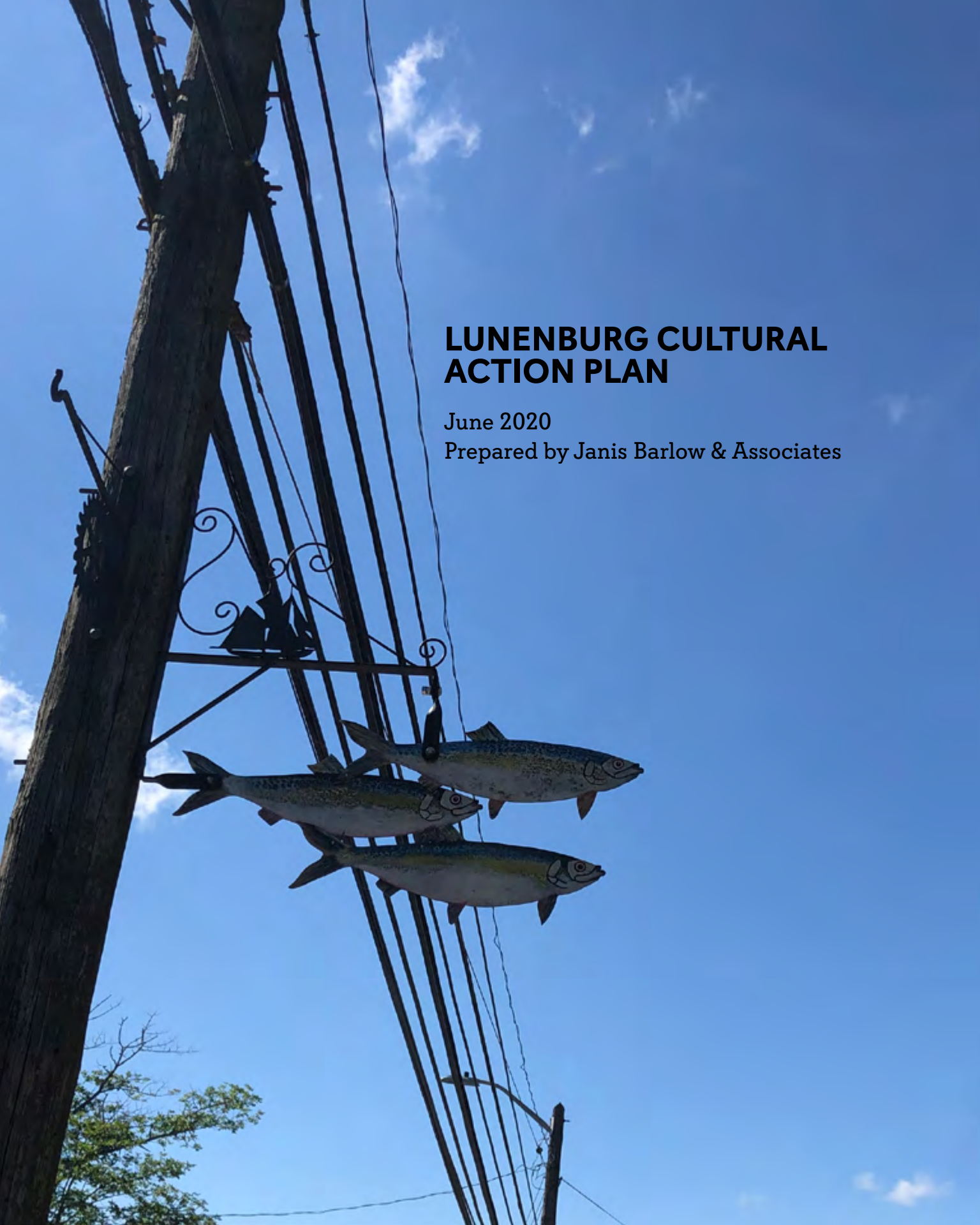
support 4 culture

LUNENBURG FOUNDATION FOR THE ARTS

TOWN of LUNENBURG
A World Heritage Site

# Cultural Vitality is alive and well in Lunenburg

Thank you for your time. I’d be pleased to answer any questions.



# LUNENBURG CULTURAL ACTION PLAN

June 2020

Prepared by Janis Barlow & Associates



**“Build on what is there. Don’t break it, just make it better.”**

— SURVEY RESPONDENT

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JANIS A. BARLOW & ASSOCIATES
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# Introduction

Culture in Lunenburg includes the past and the present, arts and heritage, shipbuilding and scallops, families who arrived in 1753, the Mi'kmaq of 10,000 years or more, newly arrived Canadians, and the Acadian spirit in holidays, music and life in Nova Scotia. In a town of 2,300 year-round residents, culture is tied to its landscape, history and creative expression.

Over the centuries, fishing, farming and ship-building have provided sustenance, jobs and trade opportunities. Expertise and skills have evolved from these industries, as have resilience, respect, hard work and faith. The strong visual culture present in the historic craft traditions of industry, the skills associated with making a living and making a home, and design drawn from multiple cultures have created a unique legacy that continues through craft, folk art, and the work of contemporary artists.

The town's aesthetic appeal and oceanside life have proven inviting for artists, cultural industry and new Canadians. With a generation of artists who have settled here have come galleries, festivals, music, book stores and theatre, all of which contribute to create a quality of life and economic activity that attracts other businesses and creative workers.

Passion for the heritage of Lunenburg inspired the Town to pursue National Historic Site Designation in 1992 and UNESCO World Heritage Site designation in 1995. Lunenburg is considered the best surviving example of a planned British colonial settlement in North America and its working harbour, authentic culture and the Bluenose II, attract a steady stream of tourists. Harnessing this cultural vibrancy for the future, is the goal of the Lunenburg Cultural Action Plan.

Lunenburg's strong sense of community identity, founded in its history and closely held values, and the innovation and creative spirit of its people, provide a foundation for a vibrant economy, healthy social and cultural life, and civic engagement.



**“We have cultural riches unknown in most small towns.”**

— SURVEY RESPONDENT

# Community-Based Cultural Planning

Across Canada, provinces and municipalities are developing cultural plans. Often, it is local government that leads a process of cultural planning, to "identify cultural resources and think strategically about how these resources can help a community to achieve its civic goals."[1] Community-based organizations are also taking a leadership role to support the evolution of cultural plans.

The Province of Nova Scotia launched a Cultural Action Plan in 2017, setting the stage for local cultural planning in the province. Inspired by this, members of Lunenburg's cultural community hired consultants in 2019 to develop a cultural action plan. The goal was to leverage the history, beauty, peoples and talents of Lunenburg in a process that engaged the community and established a vision for the future of local culture, while simultaneously clarifying the diversity, breadth and role of Lunenburg's cultural sector in the health of community life.

The Lunenburg Cultural Action Plan is the result. Led by the Lunenburg Cultural Action Plan Steering Committee (LCAP Steering Committee) and facilitated by Janis A. Barlow & Associates, the development of this plan was synchronized with Project Lunenburg, a Town of Lunenburg planning initiative led by Upland Planning and Design.

The Lunenburg Cultural Action Plan aims to inform the Town of Lunenburg and the local cultural sector, who together will provide the necessary expertise and advocacy needed to move it forward, as well as the local business community and the Municipality of the District of Lunenburg, who are critical stakeholders in the future of local culture.

1 Creative City Network of Canada Cultural Planning Toolkit, page 7



*"...there are assets, costs and benefits not accounted for in market decisions and values. Sustainability looks to the public interest beyond narrow market outcomes, taking a wide view across sectors and peering across time with a long view."*[2]

2 From *Restless Places to Resilient Communities (The Harcourt Report)* 2006. Page x–xi

# Culture and Community Sustainability

Culture is part of every community's sustainable future. As one of the four pillars of sustainability, cultural vitality is less understood than the economic vibrancy, environmental health and social cohesion considered in community planning, yet each pillar is essential for the future resilience of a community.

Culture is deeply embedded in the life of a community. It contributes to:

- **ECONOMIC ACTIVITY:** through tourism, import/export activity, exhibitions and events, creative economy workers, and by creating an attractive place for new businesses

- **SENSE OF PLACE:** by contributing to the quality of the public realm through heritage, design, architecture and public art, and contributing to a community's sense of authenticity and identity

- **SOCIAL COHESION AND INCLUSIVITY:** culture honours traditional beliefs and customs, it supports diverse expression, and welcomes diverse and marginalized communities to participate in community experiences.

A culturally vital community leads to engaged citizens, curious visitors and a distinct sense of self-identity. A Cultural Action Plan will help harness the strengths of local culture to build a stronger community for tomorrow.

# Context 2020

It is an unusual time to be releasing a Cultural Action Plan. The year 2020 is only half over and already there have been major shifts affecting societies around the world. The coronavirus pandemic has resulted in the cancellation of casual travel and large-scale gatherings such as festivals and concerts, emergency lockdowns have effectively left many cultural workers out of work, and overnight the online world became a primary resource for artists to generate creative programming and messages of hope and connectivity, often without pay.

In the face of COVID-19 the cultural sector has faced economic challenges similar to other businesses. Lunenburg's cultural sector and economy rely on tourism, and government funding is on hold for large-scale gatherings. For Lunenburg's many artists, arts businesses and arts and heritage organizations, the affect of this crisis will likely be long term.

In May, the Black Lives Matter movement erupted after the killing of George Floyd in the U.S. The exposure of inequities and racism experienced by Black, Indigenous, People of Colour (BIPOC) has changed the way individuals view their communities. Historic monuments and traditions revered in the past are now under scrutiny as potential relics of colonialist repression. Cultural sector experts, versed at developing and interpreting policy related to visual culture, can support a community's desire for evolution from historic presumption to conscious equity while preserving respect for local heritage and history.

The consultation undertaken for this plan took place before these two seismic shifts. Slight adjustments have been made to Goal 9 to address the new lens on equity and diversity. The context of 2020 affirms the importance of working together, monitoring the cultural sector as a vital part of Lunenburg's economy and social health, and of leveraging cultural expertise and support for the sake of a strong, progressive community.

# Acknowledgements

The Lunenburg Cultural Action Plan Steering Committee (LCAP Steering Committee) has been an essential part of the planning process, attending meetings, community consultations and reviewing multiple documents. The following individuals have contributed to the process:

Sheila Woodcock, Lunenburg Foundation for the Arts (Chair)
Virginia Stephen, Artist, Arts and Museums Consultant (Vice Chair)
Jon Allen, South Shore Players
Helah Cooper, Artist
Susan Corkum-Greek, LAMP, Lunenburg Board of Trade
Nathalie Irving, Lunenburg Heritage Society
John McGee, Councillor, Town of Lunenburg
Jeff Mercer, South Shore Public Library
Adrian Morrison, Fisheries Museum of the Atlantic
Harold Pearse, Lunenburg Folk Harbour Society
Angela Saunders, Fisheries Museum of the Atlantic
Pamela Segger, Lunenburg Doc Fest
Jayme Spinks, Artist/Designer
Joanne Young, Lunenburg Art Gallery Society

Planning oversight has been provided by The Lunenburg Foundation for the Arts. Funding has been provided by: the Nova Scotia Government, Department of Communities, Culture & Heritage; The Town of Lunenburg; and the Lunenburg Foundation for the Arts.

This plan was made possible by contributions from funders, the LCAP Steering Committee, the team at Upland Planning and Design, and by the many community members who completed surveys, attended meetings and submitted thoughts and suggestions. Thank you!

# Defining Culture

Cultural Planning is a process for identifying and leveraging a community's cultural resources, strengthening the management of those resources, and integrating those resources across all facets of local planning and decision making.

But when you use the term "culture" it often means different things to different people.

The "cultural sector" includes people engaged in all arts and heritage disciplines, in not-for-profit and commercial practices, and across a spectrum of pursuits from recreational, amateur, semi-professional and professional.

The term "arts" can refer to: architecture, sculpture and painting, film and media arts, music, theatre, dance and literary arts, and there are variations of terms used that can expand this list, such as craft, artisan, maker etc.

The term culture can mean different things according to context and user intent. For the purposes of this project, four interpretations of the term "culture" are considered:

**THE CULTURAL ECONOMIC SECTOR:** This refers to the arts and heritage "sectors" of a community. Businesses, artists, festivals, events, museums, galleries, living history sites and a wide array of not-for-profit organizations all create jobs, stimulate revenue generation and cultivate imports and exports to/from a community. It includes paid and unpaid cultural workers (i.e. volunteers) and is usually referred to as "the cultural sector" or "creative industries." Examples in Lunenburg range from the art galleries on Lincoln St. to the Lunenburg Academy of Musical Performance and the Folk Harbour Festival.

**PHYSICAL CULTURAL HERITAGE:** Built heritage buildings, archaeological sites, culturally significant landscapes, both natural and designed, including parks and trails, as well as collections and archives. Cultural heritage is supported by government mandate and can be significant to local cultural, environment, economy and society. Lunenburg's Harbour and Old Town are examples.

**CULTURAL DIVERSITY:** The ethnic roots of a community's people are a form of "culture" which affect a community's sense of itself and its relationship to a surrounding region. A person can be German, French, Mi'kmaq, Syrian, bi-sexual, transgendered, old, young etc. With this identification comes a collection of traditions and customs, languages, beliefs, values, etc. The diversity of a community's ethnocultural expressions informs its ability to be welcoming and inclusive of diverse voices in all decision-making.

**A COMMUNITY'S IDENTITY:** A strong sense of self-identity in a community is often associated with deeper civic engagement, a broader sense of belonging within a population, and social inclusion. This is the hardest to define, but those communities that have it—know it.

The Lunenburg Cultural Action Plan takes into account all four of the above definitions of culture. If one is seeking a simple definition of culture, UNESCO's 2001 Declaration on Cultural Diversity defines culture as "the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs."[3]

In essence, culture is about who we are, and what we do—our identity. For the purposes of this plan, our definition remains rooted in the above four areas of intent.

3 http://portal.unesco.org/en/ev.php-URL_ID=13179&URL_DO=DO_TOPIC&URL_SECTION=201.html

# Summary of Key Findings

The development of the Lunenburg Cultural Action Plan involved: site visits by consultants Janis Barlow, Rebecca Cann and Catherine Smalley; distribution of two surveys, one to the cultural sector and one to residents; multiple interviews with community leaders, and; two community roundtable meetings. In addition, the Project Lunenburg Team held an Open House, and gathered feedback through a general survey and online engagement.

A cultural asset map, or resource database was developed to improve understanding of the nature of the local cultural sector. A list of these resources is appended, and the full database has been provided under separate cover to the LCAP Steering Committee. Maps of these resources can be found in the first of two publications which were developed in advance of this final plan. These were published by Upland Planning and Design as part of Project Lunenburg:

Arts & Culture Discussion Paper
Arts & Culture What We Heard Paper

These two papers provide research and findings gathered by Janis A. Barlow & Associates and are important background to this plan. A brief summary of key findings is provided below.

- For a town its size, Lunenburg has a remarkable number of cultural resources, both built and organizational. 170 resources were identified, including 33 visual arts businesses or organizations.

- Approximately 4.3% of the town's total labour force is in arts and culture occupations, higher than the national average of 3.5% and the provincial average of 2.8%. (Local perspective suggests this percentage is low.)

- Lunenburg is seeing the fastest job growth in Information and Cultural Industries. Close behind, is job growth in Arts, Entertainment and Recreation.

- The Lunenburg Academy functions as a cultural hub for the town, with tenants that include the South Shore Library, The Lunenburg Academy of Musical Performance, The South Shore Genealogical Society and the European Centres Language School.

- The Fisheries Museum of the Atlantic has the third highest visitation in the province and the largest museum artefact collection outside of Halifax. Along with the Bluenose II, the operations of the Fisheries Museum generated gross revenues of more than $3.7 million in 2018.

- Nine festivals and arts organizations reported more than 200 public activities in 2018 (including concerts, workshops and exhibits) and more than $900,000 in operating revenues.

- The Lunenburg Opera House is the only purpose-built performance venue, although many other buildings are used by local arts organizations for concerts and events, including the town's five historic churches.

- Blockhouse Hill is the only location that will accommodate 1,000 audience members. It is an outdoor site.

- The annual Folk Harbour Festival attracts 3,500 people to a four-day event, while the Nova Scotia Folk Art Festival attracts 1,200 people to a 4-hour event. Both festivals feature quality, professional artists and celebrate local culture.

- The total annual audience attendance of eight organizations was 166,232 in 2018. Most are attracting tourism to the town, and anywhere from 10% to 80% of their arts audiences are visitors. If 50% of annual audiences came from outside of the town and they each spent $85 at local businesses, the direct impact would be over $14.1 million. This does not factor in overnight stays.

- The heritage fabric of the town has attracted many artists over the years, including two remarkable arts education facilities which have opened in the last seven years: the Lunenburg Academy of Musical Performances attracts international students and expert musicians, while the Lunenburg School of the Arts has gained a reputation for respected arts teachers and the hosting of diverse community events. These are two of several remarkable arts learning experiences on offer. Their quality will serve to enhance the reputation of the town in national and international circles.

- The volunteer spirit in Lunenburg is at the heart of its cultural life. Only four organizations surveyed have full-time permanent staff. This volunteer core will contribute energy and passion to this activity, but it can also lead to stagnation and organizational fragility.

- All indications suggest the local cultural sector is under-resourced—several interview subjects raised the cost of tenancy in town as a concern, and the prevalence of part-time jobs is suggestive.

- English is the mother tongue of 94.3% of residents.

- 10% of residents have immigrant status (Source: Stats Canada 2016).

- No resident speaks an Indigenous language but 4% are First Nations or Métis.

- Education levels in town are much higher than the surrounding area, in keeping with statistics related to artists and cultural workers.

- Local identity embraces where a person is from, in particular honouring descendants of the 1753 settlers. Those who have arrived more recently are often referred to as "CFAs" (Come From Aways), suggesting some tension between the two groups.

- The town's identity is closely tied to traditional industries of shipbuilding and repair, ocean trades, fishing, and farming, and the values and skills that are a part of these industries.

- Public access to the harbour is of paramount importance to residents but they also respect that it is a working harbour. Develop Nova Scotia has invested deeply in harbourside buildings and is working with the Lunenburg Waterfront Association on a Masterplan.



**“Arts and culture could and should be an important part of ‘intentional tourism’ planning and promotion.”**

— SURVEY RESPONDENT

# The Plan

## A VISION OF CULTURAL VITALITY IN LUNENBURG

**Creativity, innovation and mutual understanding are celebrated and sustained through excellence in the stewardship and promotion of arts, heritage and cultural activities and resources.**

**Cultural vitality has many facets. The following are forward-thinking views of what cultural vitality in Lunenburg can be:**

- Local residents and visitors will continue to be inspired by the remarkable history, natural landscapes, built heritage and abundance of arts and festival experiences.

- Inclusivity is a priority in decision-making: diverse voices and new and different faces are welcomed at all tables in Lunenburg, and the Mi'kmaq are participating in community life.

- Resources are available for professional artists and cultural workers to build businesses, strengthen existing cultural facilities, organizations and events, and to foster innovation.

- Volunteers and residents of all ages are invited to participate in the cultural life of Lunenburg, as leaders, learners, fun-seekers and as community builders.

- Local government, the private sector and the not-for-profit cultural sector work together to support, grow, leverage and integrate cultural activity for long term community sustain-ability.

**Achievement of this vision will ensure cultural vitality, and support the town's economic prosperity, environmental stewardship and social equity.**



**“…the Mi’kmaq and Acadians were here before. There should be more acknowledgement and education regarding the peoples and their history in Lunenburg prior to British colonization.”**

— SURVEY RESPONDENT

# Principles for Success

**As implementation of the Lunenburg Cultural Action Plan moves forward, it is worth considering principles of operation to support the collaborations that are required. There are many interests to balance, and thoughtful consideration, with these principles in mind, may help in the work.**

1. Autonomy and access to resources are fundamental to artists' ability to thrive.

2. Cultural engagement is important for all ages and abilities, however, children and youth are tomorrow's leaders and thus should be cultivated through cultural engagement today.

3. Collaboration is essential in a community as small as Lunenburg, across sectors, bridges and fences.

4. Arts and heritage industries include many individuals with expertise and knowledge who welcome being consulted and included in community decision-making. Their perspectives are often unique in community life.

5. History and built heritage matter, and contribute to an authentic sense of place.

6. A shared past can strengthen a shared future, rather than define it.

7. Traditional values are still alive in Lunenburg: hard work, innovation, craftsmanship, endurance. Identifying strategies to honour these, and contemporary life simultaneously, is key to preserving the identity of the community.



## Strategic Directions

**To achieve ongoing, sustainable cultural vitality for Lunenburg, five strategic directions are proposed to guide future activity, coordination, collaboration and decision-making:**

1. Leverage authentic local culture to expand international tourism.
2. Build local engagement with arts, heritage and cultural activity.
3. Foster excellence in cultural stewardship.
4. Cultivate inclusivity.
5. Build a foundation for cultural sustainability.



# Action Plan

Goals and action items are provided for each of the five strategic directions. In the appendix to this plan is a chart that provides estimated timeframes and degree of complexity, suggested participants and potential resources for each of the actions.



## STRATEGIC DIRECTION 1:
## Leverage authentic local culture to expand international tourism

The creative sector, including arts and heritage activity and assets, serve economic interests as well as cultural vitality. Tourism is an important economic contributor in Lunenburg and its primary assets are cultural. Acknowledging and leveraging the breadth of creative energies within the local arts sector, including individual artists, the not-for-profit sector, and in local business, can serve to increase tourism activity.

## GOAL 1: Develop collective marketing campaigns that feature local arts, local heritage and culture.

Local marketing of Lunenburg's arts and heritage is siloed, and some cultural assets are overlooked. Online materials are not always compatible with a sector known for creativity and innovation, and print materials are hard to find. The strongest marketing pieces are the Arts Map, generated each year by local artists and produced on a volunteer basis, and the Board of Trade's Visitor's Guide and online map with locations of commercially-produced films. All other materials are out of date, incomplete, confuse types of arts assets or are poor representations of a sector filled with expert designers and artists.

- Building on the Cultural Resource Mapping, work with the Board of Trade to develop marketing campaigns that leverage the cultural sector, taking into consideration festivals, cultural sites and arts learning experiences.

- Support and/or manage the volunteer-led Arts Map.

- Improve online materials to reflect local creativity and innovation. (Town, Board of Trade)

## GOAL 2: Measure the economic impact of arts and heritage in Lunenburg. (Town/County/Province)

This goal will require government support, from the province and/or the County. Factors to consider in an evaluation to include but not be limited to tourism, visiting artists, the export of cultural product, audience attendance and overnight visits and more. This goal was included in the most recent Town of Lunenburg Strategic Plan, but has not yet been completed, likely because of its complexity.

## STRATEGIC DIRECTION 2:
## Build local engagement with arts, heritage and cultural activity

Involvement in culture increases a person's appreciation of community life and improves civic engagement. Yet the cultural sector is often overlooked as a resource for community-building and individual self-actualization. The cultural sector in Lunenburg already provides significant educational opportunities, as partners with local schools, providers of world-class professional arts training and as recreation providers. Local awareness of the impact and opportunities inherent in arts, culture and heritage can be improved.

### GOAL 3: Foster local support and appreciation of the arts, heritage and culture.

The cultural sector works with a wide range of partners in the community—business, education, social service and more. The support and involvement of these partners is critical—as sponsors, donors, and bridges to members of the community. Coordinating bodies need to keep this goal in mind while executing other actions found in this plan, and should maintain an open eye to new opportunities for building local support and appreciation.

- Promote free events and open-house days to residents and businesses.

- Maintain an arts presence on the Board of Trade that connects with the Cultural Roundtable (see Goal 15).

- Invite the not-for-profit cultural sector to participate in Newcomer events.

**GOAL 4: Promote awareness and involvement of cultural activities among residents.**

The local community is the cultural sector's primary source of volunteers, advocates, patrons and participants. Cultivating all-ages involvement in culture will serve to foster self-expression and creativity, skills development and community building. Youthful arts participants today grow into tomorrow's arts patrons. Recreational experiences offer introductory participation experiences for residents and low cost or free events make culture accessible for the uninitiated. Awareness and off-season activity are important to strengthening engagement with residents.

- Ensure a diverse range of arts and heritage experiences are available for local residents of all ages, year-round.

- Identify communication systems to ensure residents know what is on offer from the cultural sector.

- Evaluate barriers to access for residents and identify mechanisms to reduce or eliminate them.

- Expand culture-specific learning and recreational programming for children, youth and adults.

## STRATEGIC DIRECTION 3:
## Foster excellence in cultural stewardship

Lunenburg is a UNESCO World Heritage Site and this status is taken seriously. Built heritage has been a priority of Town Council, as seen in the approval of heritage staff, the restoration of the Lunenburg Academy and the expansion of the Academy Foundation's activity. The Fisheries Museum is one of the busiest in the province as it houses a remarkable artefact collection and is home to the Bluenose II when in harbour. Committed volunteers and private property owners are responsible for a wide array of built heritage, and the preservation of collections and family and community history.

### GOAL 5: Ensure the preservation of built heritage.

Responsibility for built heritage needs to be shared to be successful. Given the import of Lunenburg's UNESCO designation, which continues to attract both residents and tourists to the area, the preservation of the town's character is essential to the future. The harbour, wharfs and town grid are all essential to the character, economy and world-class nature of the community.

- Promote best practices for preservation and support with DIY advice online.

- Re-invigorate the heritage grants program for property owners to support best-practice restorations.

- Evaluate the planning and development needs of present and future public and not-for-profit heritage projects.

## GOAL 6: Guide and support new uses of heritage buildings.

The Lunenburg Opera House is under new, not-for-profit ownership, and holds promise as a place for public activity, including as a much-needed arts venue. Lunenburg has five historic churches that are substantial in size and importance, with dwindling congregations. Pro-active public and business planning and support for the future of these buildings will ensure they continue to be of value to the community, practically as well as aesthetically.

- Build local expertise in adaptive heritage re-use, and research best practices for the development of live/work space for artists, which could be accommodated in sacred space.

- Establish a collaboration between the Town and Folk Harbour Society to undertake planning for the next phase of work required on the Opera House. Consider expansion of the current business planning model, diversification of community users and maximizing access and specialized space requirements for the performing arts.

- Working with existing tenants, measure the sustainability of the current uses of the Lunenburg Academy to ensure long term success for the Town and its tenants.

## GOAL 7: Strategize for the future development of live/work housing for artists, students and seasonal workers.

The local shortage of rental and in-season housing has resulted in staff shortages and insufficient housing solutions for visiting artists. Young artists are attracted to Lunenburg, but struggle to find suitable housing and jobs, and there is no suitable space in the local retirement home for elderly artists. In the long term, artists living



> “Our artists and galleries are often the first indication to visitors that we are a strong cultural hub.”
>
> — SURVEY RESPONDENT

in houses that could accommodate families might find a creative live/work development an ideal alternative.

- Ensure land-use zoning accommodates the development of artist live/work space, taking into consideration the combination of manufacturing, retail and residential functions.

- Research best practices for the development of live/work space for artists, which could be accommodated in sacred space (as per Goal 6).

### GOAL 8: Address the preservation of significant cultural collections and public art planning.

To date public art has been produced in Lunenburg on an ad hoc basis. There is no civic art gallery in town, despite the fact Lunenburg has been home to many successful artists over its history and the arts are an important part of local heritage. Currently, there is no access to non-commercial art exhibits in town. Art and cultural artefacts significant to local history are preserved in private collections but may not remain in the community. The Town has approved a Public Art Policy, however, design and curatorial expertise is not prioritized in selection committees and long term planning for the Town's art collection requires curatorial knowledge and experience.

- Establish a Public Art Advisory Committee of Council. (Town)

- Undertake an inventory of art and significant cultural artefacts owned by the Town and in private collections.

- Develop a management policy for the Town's collection, taking future maintenance, acquisition, and access needs needs into consideration.

## STRATEGIC DIRECTION 4:
## Cultivate inclusivity

### GOAL 9: Increase diversity in local decision-making and programming

Lunenburg has a primarily European settler population base, with small numbers of new Canadians and Indigenous people. Diversity does not grow without effort, as excluded peoples are often overlooked by those engaged in community-building. For many people in Lunenburg local history began in 1753. Community outreach and consciousness is required to expand this perspective and include the Indigenous peoples who lived locally for thousands of years before the town's first European arrivals. During the consultation process a number of people also referred to the importance of African Canadians in the development of Nova Scotia, as well as the French-speaking Métis and Acadians.

- Maximize diversity in committees, in visual depictions of people, in programming, etc.

- Invite leaders of communities not well-represented in Lunenburg to speak to the local community, in learning programs, workshops, lectures, at Town Council, etc.

- Foster dialogue on equity and justice to ensure it is reflected in public places, monuments, and committees, engaging the perspectives of BIPOC and 2SLGBTQ+ residents, workers and visitors.



## GOAL 10: Cultivate local learning and dialogue about Truth and Reconciliation

An improved future is best served by acknowledging the past, and all non-Indigenous Canadians have a responsibility to learn about Truth and Reconciliation (TRC) and to support the engagement of Indigenous cultures. A high number of people who responded to surveys supported the value of this education.

- Collaborate within the cultural sector to deliver programming that educates local residents about Truth and Reconciliation, investigate mechanisms to support TRC Calls to Action and offers a forum for ongoing dialogue.

- Cultivate Indigenous leadership to guide learnings and knowledge-sharing and to build relationships.

- Research and promote the history of the Mi'kmaq in Lunenburg.

## STRATEGIC DIRECTION 5:
## Build a foundation for cultural sustainability

Cultural vitality is the foundation of cultural sustainability, which will contribute substantially to the overall health of the community. Currently Lunenburg is home to an incredibly vital cultural sector—artists, heritage workers, creative business owners are present in higher numbers locally than elsewhere in the province. Lunenburg is a natural cultural hub. To ensure the continuance of this activity, deeper awareness of the sector's vulnerabilities and diverse business models is necessary. Communities across North America have lost their artist neighbourhoods to "gentrification," and it cannot be assumed that Lunenburg is impervious to this possibility. The heavy reliance on volunteers who are ageing makes the sector vulnerable: the sudden loss of one person could leave a major festival in a precarious state. "Soft" infrastructure and investment—of people's time and money—is required for this sector.

### GOAL 11: Strengthen coordination and communication within the cultural sector.

Lunenburg's existing cultural resources are substantial, yet there is no centralized body supporting the sector. Opportunities are often missed due to a lack of centralized organization and communication.

- Establish a 3-year contract position, to support the cultural sector and implementation of the Cultural Action Plan, ideally at the Town or the Board of Trade.

- Identify resources to centralize and coordinate communications. Establish formal and informal systems for sharing event, resource and community planning information within the sector.

- Evaluate appetite for establishing and financing a professional Arts Council for the county area, considering its mandate and role in Culture Plan implementation.

## GOAL 12: Build the capacity of the local arts and heritage sector.

Only a handful of organizations in Lunenburg have paid staff. A substantial degree of cultural activity is dependent on a single artist or a small group of volunteers. A stronger cultural sector will increase opportunities to engage residents with creative experiences, improve business opportunities and contribute to an appealing environment for visitors.

- Cultivate a spirit of philanthropy for local arts and heritage activity and initiatives. Celebrate major donors, sponsors and fundraising successes.

- Measure the success of local grant programs and promote the return on investment.

- Develop volunteer recruitment and training programs for the sector, keeping in mind the breadth of potential expertise arriving via retirees and cultural workers.

## GOAL 13: Establish sustainable resources to support arts, heritage and culture.

The Lunenburg Academy Foundation is undertaking major fundraising, for one heritage resource, while many others are left to fend for themselves. The Lunenburg Foundation for the Arts undertakes small amounts of fundraising each year to distribute grants to artists and arts organizations in the region. The Town has a small annual budget for the not-for-profit sector, which supports arts and heritage. Funding levels are modest, and insufficient to support a sector that is serving both the tourist economy, educational needs and quality of life in the community. Better understanding of how the sector serves Lunenburg will warrant deeper investment to achieve civic, business and sectoral goals.

- Identify mechanisms to grow investment for the arts, including collaborative fundraising initiatives.

- Monitor the effect of property taxes on the sustainability of arts-based businesses. Consider grants to support property taxes, or reductions to tax rates, for arts-based businesses and facilities, including but not limited to not-for-profit operations.

## GOAL 14: Recognize the specialized needs of the arts, and the opportunities they offer, in all community-based facility planning.

The arts can be produced or presented almost anywhere, indoors or outdoors, and a diversity of venues are in use in Lunenburg by artists, festivals and organizations. The quality of an arts experience can be hampered by second-rate space, poor equipment or a venue not designed for a particular purpose. Among many other

factors, acoustics in one hall do not naturally serve both amplified music and the spoken word. Specialized equipment and design are required to maximize uses. In Lunenburg, there is no space that is ideally suited for theatre performances or film screenings, and spaces that are used for various arts functions have limitations. As well, there is no space with appropriate environmental standards serving a civic art gallery function.

- When planning future community facilities, address the functional needs of the arts sector, including professional and amateur uses, taking into consideration the importance of specialized space, access and equipment for the sector.

### GOAL 15: Work together

Everyone in the cultural community of Lunenburg is incredibly busy, which often results in limited time for collaboration. Somehow, busy people will need to find time on a weekly or monthly basis to build relationships, learn about another artist or organization or heritage resource, and find ways to support the execution of this plan. Although collaboration is the hallmark of many cultural projects in Lunenburg, the sustainability, strength, and growth of the sector will be dependent on more.

- Maintain a Cultural Roundtable of representatives from the sector, ensuring diverse representation of arts disciplines and local cultural societies are considered. Support and monitor implementation of Cultural Plan.

- Undertake a review of accomplishments emerging from the Cultural Plan, every two years.

- Advocate for culture, all the time, to everyone, everywhere.

# APPENDIX 1: CULTURAL RESOURCES OF LUNENBURG AS OF OCT. 2019

| CATEGORY | NAME OF ORGANIZATION | SUB CATEGORY |
|---|---|---|
| **Community Cultural Organizations** | Lunenburg and District Music Festival | Arts Education |
| | Association du Centre Communautaire de la Rive-Sud | Ethnocultural |
| | German-Canadian Cultural Association of Lunenburg County | Ethno-cultural |
| | Lunenburg Academy Foundation | Foundation |
| | Lunenburg Foundation for the Arts | Foundation |
| | Lunenburg Art Gallery Society | Society |
| | Lunenburg Folk Harbour Society | Society |
| | Lunenburg Heritage Society | Society |
| | Lunenburg Marine Museum Society | Society |
| | Lunenburg Pride | Society |
| **Cultural Facilities & Spaces** | Lunenburg Library | Library |
| | Fisheries Museum of Nova Scotia | Museum |
| | Halifax & Southwestern Railway Museum | Museum |
| | Knaut Rhuland House | Museum |
| | Lunenburg Academy of Music Performance | Performance Venue |
| | Lunenburg Community Centre | Performance Venue |
| | Lunenburg Heritage Bandstand | Performance Venue |
| | Lunenburg Opera House | Performance Venue |
| | Lunenburg School of the Arts | Performance Venue |
| | St John's Anglican Church & Church Hall | Performance Venue |
| | Central United Church and Church Hall | Performance Venue |
| **Cultural Festivals & Events** | Lunenburg Farmers' Market | Agriculture |
| | Lunenburg Craft and Food Festival | Artisan / Craft |
| | Lunenburg Street Festival | Artisan / Craft |
| | Nova Scotia Folk Art Festival | Artisan / Craft |
| | National Acadian Day/Fete nationale acadienne | Ethno-cultural |
| | Lunenburg DocFest | Film |
| | Spirited Away Festival | Food and Drink |
| | Lunenburg Lit Festival | Literary |
| | August International Dory Races in Lunenburg | Maritime / Shipping |
| | Heritage Cup Schooner Race | Maritime / Shipping |
| | Heritage Bandstand Summer Concerts | Music |
| | Lunenburg Folk Harbour Festival | Music |
| | Lunenburg Christmas Craft Festival | Seasonal |
| | Yuletide in Lunenburg | Seasonal |
| | Paint Sea on Site | Visual Arts |
| | Saturdays on the Lunenburg Waterfront | Music |
| **Cultural Heritage** | Central United Church and Church Hall | Building |
| | Lunenburg Academy | Building |
| | Lunenburg Town Hall | Building |
| | St. Andrew's Presbyterian Church | Building |
| | St. John's Anglican Church | Building |
| | St. Norbert's Roman Catholic Church | Building |
| | Zion Lutheran Church | Building |
| | Fisheries Museum of the Atlantic | Collection |
| | Knaut-Rhuland House Museum | Collection |
| | South Shore Genealogical Society | Collection |
| | Old Town Lunenburg | Landscape |
| | Hillcrest Cemetery | Landscape |
| | Old French Cemetery | Landscape |

| CATEGORY | NAME OF ORGANIZATION | SUB CATEGORY |
|---|---|---|
| **Cultural Heritage** | "The Fish" (2002) by Laurie Fisher | Public Art |
| | "Fishermen's Memorial" | Public Art |
| | "The Mermaid" (2003) by Laurie Fisher | Public Art |
| | "Nested (2004)" by Alexander Graham | Public Art |
| | Mural, corner of Faulkland St. and Lincoln St., by Peter Matyas | Public Art |
| **Cultural Industry** | LaHave Weaving Studio | Artisan / Craft |
| | Carmen Jaeger Jewellery | Artisan / Craft |
| | Double Whale Handwoven Designs | Artisan / Craft |
| | Lunenburg Makery | Artisan / Craft |
| | The Lunenburg Chiselworks | Artisan / Craft |
| | The Lunenburg Furniture Company | Artisan / Craft |
| | The Mariner's Daughter Fine Yarns | Artisan / Craft |
| | Toy Maker of Lunenburg | Artisan / Craft |
| | Heritage Landscape | Design |
| | Eurocentres Atlantic Canada | Education |
| | Elizabeth's Books | Literary - bookstore |
| | Lexicon Books | Literary - bookstore |
| | Lunenburg Bound | Literary - bookstore |
| | Lighthouse Publishing | Literary - publisher |
| | MacIntyre Purcell Publishing Inc. | Literary - publisher |
| | Nevermore Press | Literary - publisher |
| | Oceanic Publishing | Literary - publisher |
| | HB Studios | Media |
| | Otitis Media studio (David Findlay Music/ Braemar Entertainment) | Media |
| | Lunenburg Academy of Music Performance | Music |
| | Maritime Concert Opera | Music |
| | Musique Royale | Music |
| | The Boxwood Music Festival & Workshop | Music |
| | Hear Here Productions | Theatre |
| | South Shore Players | Theatre |
| | Lunenburg Walking Tours | Tours |
| | Cheryl Corkum at Down Home Living | Visual Arts |
| | Cranston Gallery | Visual Arts |
| | F. Scott McLeod at Nova Terra Cotta Gallery | Visual Arts |
| | Gail Patriarche Gallery | Visual Arts |
| | Jennifer Harrison Painting Studio | Visual Arts |
| | Joan Bruneau / Nova Terra Cotta Pottery | Visual Arts |
| | Laurie Swim Gallery | Visual Arts |
| | Lunenburg Art Gallery | Visual Arts |
| | Lunenburg School of the Arts | Visual Arts |
| | Lunenburg's Finest Art | Visual Arts |
| | NSCAD / Lunenburg Residency | Visual Arts |
| | Old Town Gallery / Artisan Nova Scotia | Visual Arts |
| | Peer Gallery | Visual Arts |
| | Power House Art & S.A. Ernst Photography | Visual Arts |
| | Purcell Family Art Gallery | Visual Arts |
| | Skullduggery | Visual Arts |
| | The Marine Art Gallery of the Atlantic | Visual Arts |
| | The Quartet Gallery | Visual Arts |
| | The Swan on Lincoln | Visual Arts |
| | Tiny Art for Tiny Spaces | Visual Arts |




## IMAGE CREDITS

| | |
|---|---|
| Cover | "The Fish" by Laurie Fisher |
| Page 2 | Mural, corner of Faulkland St. and Lincoln St., by Peter Matyas |
| Page 4 | Doorknob inside the Lunenburg Academy |
| Page 6 | Lunenburg Folk Harbour Festival at the Heritage Bandstand |
| Page 8 | "Nested" by Alexander Graham |
| Page 18 | Inside the Knaut-Rhuland House Museum |
| Page 20 | Detail from the Zion Evangelical Lutheran Church |
| Page 22 | Cape Sable Wheelhouse, Fisheries Museum of the Atlantic |
| Page 23 | Joel Quarrington with a student of the Lunenburg Academy of Musical Performance |
| Page 24 | A Lunenburg Art Gallery Society event |
| Page 30 | From the Nova Scotia Folk Art Festival — Richard Crowe's "Women" |
| Page 33 | Crab door knocker, Old Town |
| Page 40 | Nova Terra Cotta Pottery |

Report design by Jayme Spinks

| Appendix 2: ACTION PLAN – TIMELINES, LEADERSHIP, COMPLEXITY AND RESOURCES | | | ESTIMATED TIMEFRAME (SHORT, MID, LONG) | ESTIMATED COMPLEXITY (LOW, MID, HIGH) | WHO | POTENTIAL RESOURCES |
|---|---|---|---|---|---|---|
| **Leverage authentic local culture to expand international tourism** | | | | | | |
| GOAL 1 | Develop collective marketing campaigns that feature local arts, local heritage and culture. | Building on the Cultural Resource Mapping, work with the Board of Trade to develop marketing campaigns that leverage the cultural sector, taking into consideration festivals, cultural sites and arts learning experiences. | Short | Mid | Cultural Roundtable + LBOT | Current marketing strategy of the LBOT, the Cultural resource map/database |
| | | Support and/or manage the volunteer-led Arts Map. | Short | Low | Art Galleries Association of Lunenburg + Cultural Roundtable | LBOT, DCH Canada Cultural Investment Fund — Strategic Initiatives Program https://www.canada.ca/en/canadian-heritage/services/funding/cultural-investment-fund.html |
| | | Improve online materials to reflect local creativity and innovation. | Mid | Mid | Town, Board of Trade | Calendars LBOT & Town. Maybe an app for that |
| GOAL 2 | Measure the economic impact of arts and heritage in Lunenburg. | | Short | Mid | LBOT | Business schools/grad student projects, Town/County/ Province |
| **Build local engagement with arts, heritage and cultural activity** | | | | | | |
| GOAL 3 | Foster local support and appreciation of the arts, heritage and culture | Promote free events and open-house days to residents and businesses. | Short | Mid | Library + bulletin board on King Street (with Town's permission) | Linked to existing calendars, develop new app (grant to LFA), community bulletin board dedicated to arts and culture events, Progress Bulletin Marquee column |
| | | Maintain an arts and culture presence on the Board of Trade that connects with the Cultural Roundtable. | Short | Low | LBOT Council to include an arts & culture position and that person to also join the Cultural Roundtable | |
| | | Invite the not-for-profit arts & cultural sector to participate in Newcomer events. | Short | Low | Town | Cultural Roundtable |
| GOAL 4 | Promote awareness and involvement of cultural activities among residents. | Ensure a diverse range of arts and heritage experiences are available for local residents of all ages, year-round. | Mid | Mid | All | Communication channels listed above + schools |
| | | Identify communication systems to ensure residents know what is on offer from the cultural sector. | Short | Mid | Cultural Roundtable | See above |
| | | Evaluate barriers to access for residents and identify mechanisms to reduce or eliminate them. | Mid | High | Cultural Roundtable +?? | Project to study barriers that exist |
| | | Expand arts & culture-specific learning and recreation programming for children, youth and adults. | Mid | Mid | Town, to promote availability of programs offered by Sector + | Recreation guide published by Town and MODL |

**short = <1yr mid = 1 to 3 yrs long = >3yrs**

| Appendix 2: ACTION PLAN – TIMELINES, LEADERSHIP, COMPLEXITY AND RESOURCES | | | ESTIMATED TIMEFRAME (SHORT, MID, LONG) | ESTIMATED COMPLEXITY (LOW, MID, HIGH) | WHO | POTENTIAL RESOURCES |
|---|---|---|---|---|---|---|
| **Foster excellence in cultural stewardship** | | | | | | |
| GOAL 5 | Ensure the preservation of built heritage. | Promote best practices for preservation and support with DIY advice online | Mid | Mid | Town | Library has books and information available, Fix-it Fair, Town website, Heritage Society |
| | | Re-invigorate the heritage grants program for property owners to support best-practice restorations. | Mid | Mid | Town | |
| | | Evaluate the planning and development needs of present and future public and not-for-profit heritage projects. | Long | High | Town+ interested parties | |
| GOAL 6 | Guide and support new uses of heritage buildings. | Build local expertise in adaptive heritage re-use, and research best practices for the development of live/work space for artists, which could be accommodated in sacred space. | Long | High | Town + Cultural Roundtable | Heritage carpentry program, Parks Canada standras and guidelines, churches |
| | | Establish a collaboration between the Town and Folk Harbour Society to undertake planning for the next phase of work required on the Opera House. Consider expansion of the current business planning model, diversification of community users and maximizing access and specialized space requirements for the performing arts. | Mid | High | Town, Folk Harbour Society | Grant funding (e.g. ACOA), South Shore Players, Dance schools, Lunenburg Music Festival, Maritime Concert Opera |
| | | Working with existing tenants, measure the sustainability of the current uses of the Lunenburg Academy to ensure long term success for the Town and its tenants. | Mid | High | Town + tenants, Cultural Roundtable | |
| GOAL 7 | Strategize for the future development of live/work housing for artists, students and seasonal workers. | Ensure land-use zoning will accommodate the development of artist live/work space in future. | Mid | Mid/High | Town | Project Lunenburg, NSCAD |
| GOAL 8 | Address the preservation of significant cultural collections and public art planning. | Establish a Public Art Advisory Committee of Council. | Mid | Mid | Town | Cultural roundtable, other similar communities |
| | | Undertake an inventory of art and significant cultural artefacts owned by the Town and in private collections. | Long | High | Public Art Advisory Committee | Art Gallery Association, Fisheries Museum, Town's Public Art Committee |
| | | Develop a management policy for the Town's collection, taking future maintenance, acquisition, and access needs into consideration. | Mid | Low | Town + Public Art Advisory Committee | Cultural roundtable, other towns with cultural plans e.g. Annapolis Royal and Parrsboro |

**short = <1yr mid = 1 to 3 yrs long = >3yrs**

| Appendix 2: ACTION PLAN – TIMELINES, LEADERSHIP, COMPLEXITY AND RESOURCES | | | ESTIMATED TIMEFRAME (SHORT, MID, LONG) | ESTIMATED COMPLEXITY (LOW, MID, HIGH) | WHO | POTENTIAL RESOURCES |
|---|---|---|---|---|---|---|
| **Cultivate inclusivity** | | | | | | |
| GOAL 9 | Increase diversity in local decision-making and programming. | Maximize diversity in committees, in visual depictions of people, in programming, etc. | Short | Mid/high | Town + organizations with committees | Provinical government resources, First Nations communities, African NS societies, Birchtown museum, students in IB and award programs required to complete volunteer activities |
| | | Invite leaders of communities not well-represented in Lunenburg to speak to the local community, in learning programs, workshops, lectures, at Town Council, etc. | Short | Low | Town + organizations with committees | See above + Cultural Roundtable |
| | | Foster dialogue on equity and justice to ensure it is reflected in public places, monuments, and committees, engaging the perspectives of BIPOC and 2SLGBTQ+ residents, workers and visitors. | Short | Mid/high | Town + organizations with committees | Same as above + Lunenburg Pride |
| GOAL 10 | Cultivate local learning and dialogue about Truth and Reconciliation | Collaborate within the cultural sector to deliver programming that educates local residents about Truth and Reconciliation, investigate mechanisms to support TRC Calls to Action and offers a forum for ongoing dialogue. | Mid | Mid | Cultural Roundtable | Board of Education, CBC, Federal website and other research req'd |
| | | Cultivate Indigenous leadership to guide learnings and knowledge-sharing and to build relationships. | Mid | Low | Town, arts and culture organizations, cultural roundtable | |
| | | Research and promote the history of the Mi'kmaq in Lunenburg. | Short | Mid | Town + LBOT, Knaut Rhuland House, Library, FMA | Fisheries Museum, Library, Bluenose Academy & Board of Education |
| **Build a foundation for cultural sustainability** | | | | | | |
| GOAL 11 | Strengthen coordination and communication within the cultural sector. | Establish a 3-year contract position to support the cultural sector, ideally at the Town or the Board of Trade, and to support implementation of the Cultural Action Plan. | Mid | Mid/high | Town? LBOT? Other? | Grant funding: DCH Canada Cultural Investment Fund Strategic Initiatives Program (See Goal 1, Action 2); ACOA; NS Government? |
| | | Identify resources to centralize and coordinate communications. Establish formal and informal systems for sharing event, resource and community planning information within the sector. | Short | Mid | Cultural Roundtable | Collaborate in using existing available tools, research and plan future options |
| | | Evaluate appetite for establishing and financing a professional Arts Council for the county area, considering its mandate and role in Culture Plan implementation. | Mid/long | High | Cultural Roundtable + contract position person | Town, MODL, Bridgewater, Mahone Bay, Chester etc. |

**short = <1yr mid = 1 to 3 yrs long = >3yrs**

| Appendix 2: ACTION PLAN – TIMELINES, LEADERSHIP, COMPLEXITY AND RESOURCES | | | ESTIMATED TIMEFRAME (SHORT, MID, LONG) | ESTIMATED COMPLEXITY (LOW, MID, HIGH) | WHO | POTENTIAL RESOURCES |
|---|---|---|---|---|---|---|
| **Build a foundation for cultural sustainability** *cont'd* | | | | | | |
| GOAL 12 | Build the capacity of the local arts and heritage sector. | Cultivate a spirit of philanthropy for local arts and heritage activity and initiatives. Celebrate major donors, sponsors and fundraising successes. | Mid | High | All organizations + Cultural Roundtable | Examples from other communities |
| | | Measure the success of local grant programs and promote the return on investment. | Mid | High | Town, LFA, LAMP? United Way | Completed grant project objectives, organizations involved, local media |
| | | Develop volunteer recruitment and training programs for the sector, keeping in mind the breadth of potential expertise arriving via retirees and cultural workers. | Long | Mid | Cultural Roundtable | Programs used by other organizations and Community Sector Council (Provincial) |
| GOAL 13 | Establish sustainable resources to support arts, heritage and culture. | Identify mechanisms to grow investment for the arts, including collaborative fundraising initiatives. | Mid | High | All organizations + Cultural Roundtable | Look for examples of successful initiatives |
| | | Monitor the effect of commercial property taxes on the sustainability of arts-based businesses. Consider grants to support property taxes, or reductions to tax rates, for arts-based businesses and facilities, including but not limited to not-for-profit operations. | Long | High | Town, County | Look at Film Industry credit system and other examples, consider accommodation levy/marketing initiative fee for tourists |
| GOAL 14 | Recognize the specialized needs of the arts, and the opportunities they offer, in all community-based facility planning. | When planning future community facilities, address the functional needs of the arts sector, including professional and amateur uses, taking into consideration the importance of specialized space, access and equipment for the sector. | Long | Mid | Town + Cultural Roundtable | Local arts and culture organizations |
| GOAL 15 | Work together. | Maintain a Cultural Roundtable of representatives from the sector, ensuring diverse representation of arts disciplines and local cultural societies are considered. Support and monitor implementation of Cultural Plan. | Short | Low | Cultural Plan SC to become Cultural Roundtable and review, revise Terms of Reference | Cultural Plan Steering Committee, Lunenburg Foundation for the Arts |
| | | Undertake a review of accomplishments emerging from the Cultural Plan, every two years. | Mid | Mid | Cultural Roundtable | |
| | | Advocate for culture, all the time, to everyone, everywhere. | Short/mid and long | Low | Everyone | |

**short = <1yr  mid = 1 to 3 yrs  long = >3yrs**

LUNENBURG WATERFRONT ASSOCIATION INC.

# SUMMER 2020: THE YEAR OF VIRTUAL MEETINGS

## INTRODUCTION: Sandy Marshall, LWAI Chair

June 2020 would have been the time for LWAI to hold its 16th Annual Summer Symposium. I would have preferred to welcome you in person but under the circumstances, please accept this letter as a start. With Canada and Nova Scotia just beginning to open up some services and businesses that involve group gatherings, your LWAI Board has decided to postpone our annual information-sharing and membership renewal Symposium.

The Symposium will be re-convened later in the summer with either a community gathering or a virtual Symposium via the popular meeting platform known as ZOOM. Plans for information-sharing will be available via:

- our email mailing list
- our website: www.lunenburgwaterfront.ca
- an insert in the Town's electric utility bill
- Lighthouse Now
- Develop Nova Scotia website: www.developns.ca and social media

In the meantime we feel this update to our membership is appropriate. While we have tried to make this self-contained as a letter, there is much to see via the links we provide to LWAI and Develop Nova Scotia (DNS) content. Please browse these as you are able. Also, we recommend that you visit the waterfront in person this summer to view the new construction underway or completed, from the Zwicker Wharf (1) the completed Ocean Gear seawall seen from Zwicker Wharf (2) - all the way to the Smith and Rhuland 'Big Boat Shed' (3) where new interpretive facilities are under construction.


(1)


(2)


(3)

## BOARD STRUCTURE AND MEMBERS:

" ... LWAI is a *not for profit* corporation managed by a volunteer Board. A membership plan has been established so that anyone interested may participate. We hope that all those who value Lunenburg's working waterfront will vigorously support and maintain the Lunenburg Waterfront Association Inc. as members ..."

*– from Lunenburg Waterfront Association Inc. website*

LWAI Board consists of Chair Sandy Marshall with 10 Directors -

| | | | | |
|---|---|---|---|---|
| Frans Aeyelts | Rachel Bailey | David Jones | Derek Kinsman | Donna Knickle |
| Doug Langley | Jim Mosher | Jane Ritcey | Gerry Rolfsen | Heather Towndrow |

For information, call Sandy Marshall @ 902 634-3065 or email: sandy.marshall1@eastlink.ca

## Membership and Renewal: Gerry Rolfsen, Membership Director

In 2019, we had 165+ paid memberships ($20) and several members who generously gave extra as donations.

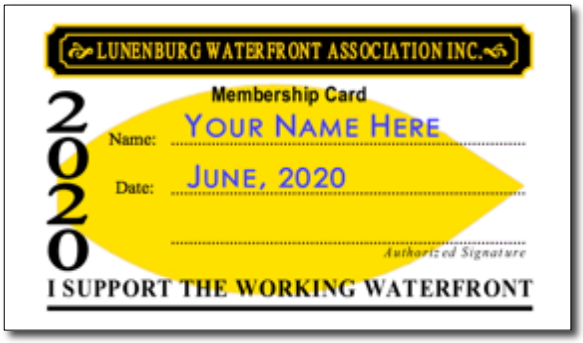
As membership renewals normally occur at the June Symposium and in the following weeks, we have taken steps to allow everyone to renew their memberships and to add new members. Annual membership fees ($20, $25 for Directors) and donations may now be paid to the LWAI by means of e-transfers through your financial institution. This convenient replacement for cash and cheques through the postal system is what many members have requested over the past few years.

To receive your virtual membership card and remain current, please initiate an e-transfer to:

lwai.banking@gmail.com

No passwords are required as this is a direct deposit feature. When the bank sends us notice of your renewal payment, we will send you a virtual membership card with your name in an email.

You can still renew as in the past by sending a cheque to LWAI, PO Box 520, Lunenburg, NS B0J 2C0. We thank you in advance for your continued support.




## Financial Report: Jim Mosher, Treasurer

We have maintained for several years a balance of approximately $14,000. Please contact the Chair or Treasurer to see details of expenditures. We anticipate this year will be trying as we must repaint the Lighthouse exterior.

## Harbour Health: Doug Langley, Director

LWAI in 2019-20 continued to participate on the Town's Harbour Health Committee monitoring and advising on the water testing program conducted by Bluenose Coastal Action. There has not been any harbour monitoring in 2020.



We have commented on the review by CBCL, the consultants, of the waste water treatment plant. We recommended the Town support a peer review of the CBCL options and to include in any option, the extension of the waste water outfall away from directly under the inshore fisheries wharf. LWAI urged Council to give careful consideration to the Dillon peer review report which recommends a more modest technically proven approach.

The Town hired a contractor in June for maintenance of Aeration Tanks.

## ABCO Development Proposals: Sandy Marshall, Chair

In Spring 2019, ABCO publicized a conceptual development proposal that included purchase of harbour bottom infill, and multi-unit residential buildings on their waterfront lands.

LWAI expressed concern about this proposal. We highlighted the crucial need to properly plan the role that the whole harbour plays in the Town's future. In September 2019, "Council found it inappropriate to consider ABCO's request at this time".




This year there have been public hearings on ABCO's request for their six contiguous properties to be removed from the Architectural Control Area. On May 5, Town Council voted 5-2 to approve that request. LWAI spoke at these hearings, recognizing ABCO as a major part of Lunenburg's "Working Waterfront". We do support the industrial expansion within the constraints of the Marine Industrial Zoning bylaw.

The initial proposal of infill, etc. was specifically excluded from this year's discussions. It has not been formally withdrawn and bears continual watching.

## WHOLE HARBOUR PLANNING: David Jones, Director & Terry Drisdelle, Develop Nova Scotia

We feel that planning by the Town must be based on a vision and set of objectives for the whole harbour, which includes the Town's working waterfront. A long term coordinated approach is necessary to support, protect and enhance the harbour and waterfront land uses. Prudent and inclusive planning must recognize the historical, commercial, industrial and recreational potential of the harbour and surrounding lands. This will require an 'all government' awareness of the issues and coordination of goals among the Municipality of the District of Lunenburg (MODL), the Province, and the various Federal Government departments. Without a whole harbour vision and unified approach by all levels of government, the Town's aspirations for its harbour are exceedingly vulnerable.

Our working waterfront has benefited from the high level planning and proactive financial investment by Develop Nova Scotia, on behalf of the province, in the infrastructure and public use facilities on our waterfront that you will read more about in this report. Develop Nova Scotia has been in discussions with the Town and Transport Canada to understand the implications of possible future harbour divestitures, and the importance of ensuring that all future harbourfront land uses are implemented in accordance with an updated Municipal Planning Strategy.



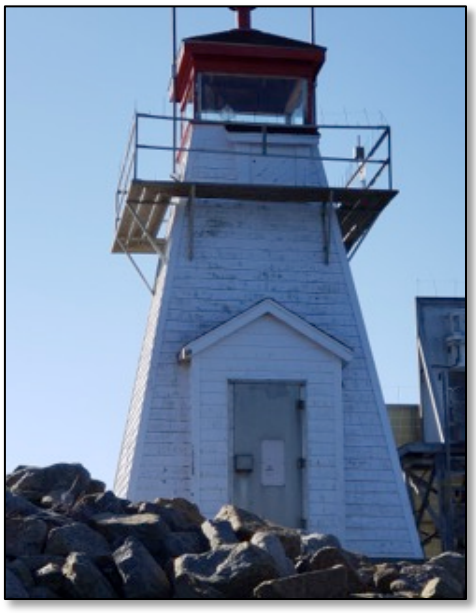
Maintaining and protecting Old Town as both a World UNESCO Site and a National Historic Site is a primary concern. Sustaining the Outstanding Universal Value of the property over time also involves ensuring future waterfront and harbour uses complement and respect the heritage value of Old Town Lunenburg.

During the past year LWAI has spoken with Town officials and formally presented to the Project Lunenburg Comprehensive Community Plan to outline our concerns around the need for a whole harbour vision and we look forward to continued discussions.

We believe that coordination is essential to Lunenburg's future success. We will continue to represent that view. LWAI's presentation for Project Lunenburg may be found here:

www.lunenburgwaterfront.ca/PPforprojectlunenburg

## BATTERY POINT LIGHTHOUSE PROJECT: Gerry Rolfsen, Project Manager



Our most significant recurring expense on behalf of the community is fulfilling the terms of our license with DFO to maintain the exterior of the Battery Point Lighthouse. This has proven to be a very challenging activity to schedule because of the uncertain weather including typically high winds throughout the summer at Battery Point.

The plans to re-paint the Lighthouse in 2019 were regularly thwarted and finally delayed one year by weather conditions, and also by the high demand for good painters within the Town. We will attempt to complete this maintenance in 2020, given acceptable weather conditions. The plan this year is to strip the exterior shingles down to bare wood, re-prime and paint the entire exterior with the goal of developing a more lasting exterior finish. We need to be blessed with good weather this summer.

If we can find the weather window that we need to re-finish the Lighthouse, this time without a Federal grant, our expenses this year will be significantly higher than in the past. We need your continued support.

## DEVELOP NOVA SCOTIA – PROJECT UPDATE 2020

Over the past year, with the ongoing support of the Lunenburg community and partners, together we have made progress on a number of projects outlined in our collective 5 year Lunenburg Waterfront Master Plan.

For this plan, in 2018 a robust series of informal interviews was completed with major stakeholders including the Town, key individuals and organizations, local industry and tenants, groups related to the economic development of the waterfront, and the public. Meetings and workshops were also held with stakeholders to create vision for physical improvements, land, buildings, and marine infrastructure and services. Program planning included potential events, marketing, and communications. More than 60 stakeholders engaged with us, often multiple times, through this targeted mix of informal one-on-one discussions and other sessions/meetings.

A draft working waterfront plan was then presented to the public at the annual Lunenburg Waterfront Association Symposium in June of 2018, followed by a series of three pop-up sessions in the summer held throughout the town. Overall, it is estimated between 300 and 400 people attended the symposium and sessions. An online survey was also available. View the plan at:

https://developns.ca/wp-content/uploads/2019/06/DD-19-072-Develop-NS-Lunenburg-Plan-R7-w-rev.pdf

Today, Lunenburg's working waterfront is a place where marine industrial businesses work side by side to support key sectors in Nova Scotia's ocean economy. It is the authenticity of the working waterfront that contributes to Lunenburg's tourism appeal and is a source of pride and shared history for the community.

We would like to provide you with an overview of the progress to date. We look forward to providing further updates and a look at the year ahead at our Virtual Lunenburg Waterfront Symposium update with LWAI later this summer.

### Wharf Work Recently Completed or Underway

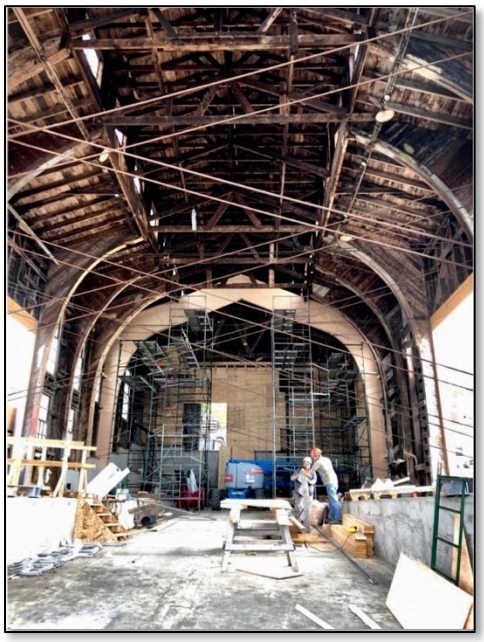
- ✓ Common User Wharf (C or W3 on plan)
  A tender has been released for the demolition and complete reconstruction of this wharf. The reconstructed version will have a concrete deck and be provided with shore power.

- ✓ Clearwater Wharf L (W6 on plan)
  This wharf is leased to Clearwater Seafoods. Repairs were recently completed, and the wharf is now in good condition.
- ✓ Scotia Trawler Wharf M (W7 on plan)
  This will be part of the Lunenburg Shipyard Revitalization project (noted below) which includes the complete rebuild of Wharf M.

## Other Key Projects Completed or Underway

- ✓ Ocean Gear Seawall
  Approximately 180 feet of new concrete seawall is now completed between the Zwicker, Ocean Gear and Common User Wharves.
- ✓ Big Boat Shed & Interpretation Centre
  Revitalization work continues in the Big Boat Shed with the reinforcement of existing support arches and the installation of new arches. The construction of a wooden floor will follow and be installed around the perimeter of the recently completed concrete slipway.



In recent years, world-renowned master boatbuilder David Westergard chose Lunenburg to practise his craft. Once upgrades are complete, he plans to lease space and continue to build, allowing visitors to see the work involved in building a traditional wooden schooner.

The building envelope of the new addition - which will accommodate the Fisheries Museum of the Atlantic small boatbuilding and interpretation programs - is now completed and work is continuing inside the structure. Both the renovation work to the Big Boat Shed and the interpretation centre addition are scheduled to be completed by late summer of this year.

This project will ensure that Lunenburg continues to be a place where Nova Scotians and visitors can experience and participate in traditional shipbuilding.

## Leasing of the Shipyard Warehouse

The 2,840 square foot open space of the 2nd floor of this historic building is being offered on an initial 3-year lease term. Deadline for applications of interest closed in June.

## Upcoming Projects

On May 27/20, the Province announced an investment of up to $230M to improve infrastructure and help get the economy moving again. The funding will support more than 200 shovel ready projects, creating up to 2000 jobs.

A number of these stimulus projects, through an investment of close to $38M, will be led by Develop Nova Scotia with a focus on creating places that attract people, build on our natural advantages, and support sector growth. These projects are focused on the revitalization of working waterfronts that serve as multi-purpose platforms for business, as well as some of our most visited tourism destinations.

In our work to support community and to attract people to Nova Scotia, it isn't just about what we build, but how. By planning and building places with community, we are able to reflect the authenticity of the place as well as build community participation and resiliency.

(1) Zwicker Building

Zwicker Warehouse is envisioned to be a centre of growing recreational marine visitation and activity, through facilities and small business opportunities. With this provincial investment, renovations to the first floor will house permanent accessible marine visitation facilities including a marina office, laundry, shower and public accessible washrooms for marine visitors and seasonal visitor attractions.

It will also support ground floor retail/food and beverage small businesses, and be a point for local indoor and outdoor events. This project will build on stabilization work and roof repair work that has been completed.

Overall planning for the site includes new site servicing, landscaping and improvements to the building envelope in accordance to the Town of Lunenburg heritage guidelines enabling occupancy for the ground floor, and base building improvements to facilitate future long-term tenants on the upper floors for marine business/office use.

(2) Lunenburg Shipyard Revitalization

This project, located at 12 Burma Road and 174 Bluenose Drive, will revitalize the open waterside areas between Clearwater Seafoods and the historic, and newly revitalized Big Boat Shed. The intent is to improve shipyard infrastructure creating a platform for shared use by the cluster of marine services businesses, with direct access to Lunenburg Harbour.

Waterfront tenants *Old Town Boatworks* and *Ocean Gear* were the successful proponents to a 2019 public call for a Collaborative Marine Services Centre.

The intent is to provide this high-quality marine service centre of excellence, independently or through collaboration and clustering of complementary services to support and attract boatbuilding, marine maintenance and service opportunities to Lunenburg and the province of Nova Scotia.

Plans include enhancing haul-out capabilities to enable work on boats year-round, enhanced services and amenities, and maximizing berthage opportunities and protection for boats through new wharf infrastructure and floating dock improvements. All new infrastructure will be designed and constructed for accessibility and with respect to sea level rise projections.

Visit: http://www.developns.ca

## CLOSING REMARKS: Sandy Marshall, Chair

On behalf of LWAI membership and Board, we want to clearly say how pleased we are with the progress and hard work of all of Develop Nova Scotia staff in making the Master Plan come alive. We also extend our appreciation to the Government of Nova Scotia and ACOA for including our Master Plan in strategies and budgets. Lastly, we thank the membership and public for their continuing support of this important part of our Town.

Property Valuation Services Corporation
A truly valued Nova Scotia

Park Place II
Suite 200, 2nd Floor
238A Brownlow Ave
Dartmouth, NS B3B 2B4

Toll 800.380.7775
Fax 902.720.7873
www.pvsc.ca

July 30, 2020

Mayors and Wardens
Nova Scotia Municipalities

Dear Mayors and Wardens:

**Re: Delivery of 2019-20 Annual Report**

On behalf of Property Valuation Services Corporation (PVSC), I am pleased to inform you that the 2019-20 Annual Report (for the April 1, 2019 – March 31, 2020 fiscal year) is available.

This year's Annual Report focuses on PVSC's connection with clients, investment in partnerships and commitment to advancing the assessment industry.

The Annual Report is available at: http://www.pvsc.ca/en/home/aboutpvsc/annualreports.aspx.

Thank you for taking the time to read and share our Annual Report with your municipal colleagues and elected officials.

Sincerely,

Greg Keefe
Chair, PVSC Board of Directors

cc: CAOs and Town Clerks

## Ann Covey

**Subject:** 6 Coun Aug 25 20 Notice of Provincial Tourist Accommodation Registry by Department of Business

**From:** Armstrong, Barbara [mailto:Barbara.Armstrong@novascotia.ca]
**Sent:** July 31, 2020 4:09 PM
**Subject:** Tourist Accommodation Registry

**Tourist Accommodation Registry**

**Re: Important Changes to Tourism Legislation and Accommodation Licensing**

To help support tourism growth and to encourage micro-entrepreneurs throughout our province, government is modernizing the legislation governing tourist accommodation operations in Nova Scotia.

Amendments to the *Assessment Act* in March 2019, provided a definition of 'small-scale residential tourist accommodation establishment'. Municipal consultation on the details of this definition have informed the development of regulations, which are expected to be in effect for the 2021 Assessment Roll. Additional details will be provided once the regulations are finalized.

A new *Tourist Accommodations Registration Act* has replaced outdated regulation (Tourist Accommodations Act). New rules, regulations and online registration came into effect April 1, 2020. The Province consulted with stakeholders and collected input from Nova Scotians through an online consultation. The summary report from the online consultation on short term rental accommodations and more information on the *Tourist Accommodations Registration Act* is available at https://novascotia.ca/touristaccommodation/ .

**What these changes mean for accommodation operators**
Effective April 1, tourist accommodation operators are required to register through a simple, online registry. The new online registration system will make it easier and faster for tourist accommodations operators to register.

**Who needs to register?**
All operators of tourist accommodations rentals of 28 days or less must register, unless the accommodations are located within a primary residence.

**Who does not need to register?**
Accommodations rented in the owner or tenant's primary residence are not required to register.
A primary residence is the home where the operator lives, as an owner or a tenant. It's the address used for bills, identification and tax purposes.

Campgrounds are not required to register under the new *Tourist Accommodations Registration Act* unless they offer a roofed accommodation for short-term rental on the property, like a cabin, cottage or unusual lodging (yurt, dome or globe).

**How to register**
The registration process opened on April 1, 2020 and must be done online. Operators will not be required to remit any documentation as part of the registration process. Following successful registration, operators will receive a registration number to keep for their records.
Registration can be done at this link: https://beta.novascotia.ca/register-your-tourist-accommodation

**Registration fees and payment**
We know that COVID-19 is causing economic impacts across industries. Given the current situation, tourism operators/hosts will not pay a registration fee for the 2020/21 registration year.

In 2021/22 the registration fees will be $50 for accommodation operators with 4 bedrooms or less, and $150 for accommodation operators with 5 or more bedrooms.

**Offences**
A person who has contravened the Act by failure to register is guilty of an offence and liable on summary conviction to a fine of $1,000 a day, up to a maximum annual amount of $7500.

**Registry Data Sharing**
A sub-section of data collected from the registry - approximate location of accommodations, type and size of accommodations - that doesn't include personal information will be shared on the Province's Open Data Portal (https://data.novascotia.ca/)

The full dataset collected from the registry will be shared with municipalities. This data could be used to enforce by-laws and to inform policy development. In order to receive this data, you must have a data sharing agreement with the Province. Please reach out to Sarah Deveau at Sarah.Deveau@novascotia.ca to get a copy of the agreement.

**Public Inquiries**
The province will continue answering questions about the new regulations and online registry system. Questions regarding municipal by-laws such as garbage removal, zoning and land-use are best answered by you. Access Nova Scotia has been provided information on the Tourist Accommodation Registry, and will direct any municipal inquires to their municipal contacts.

Sincerely,

Bernard F. Miller, Q.C.
Deputy Minister
Department of Business

*Move Alert! As of Monday, May 25, the Department of Business will be located at 1809 Barrington Street (CIBC Building), Suite M103, Halifax, B3J 3K8. My direct phone line, email and cell phone remains the same. The Department's main number is 902-424-2899. Follow the Department on Twitter @NS_DoB*

Live Every Day.

August 4, 2020

Town Of Lunenburg
119 Cumberland St
PO Box 129
Lunenburg, NS B0J 2C0

Dear Town Of Lunenburg,

Thank you for your generosity!

Your donation of $2,000.00 to VON Lunenburg is ensuring that people of all ages - our family, friends and neighbors - can continue to count on VON to provide community support services every day.

Here in Lunenburg County, VON staff is supported by amazing community partners, generous donors like yourself and dedicated staff and volunteers to provide community nursing services and our many charitable and volunteer programs. Programs such as foot clinics, Frozen Favorites and On The Move Assisted Transportation.

Thank you again for your gift. If you have any questions or to learn more about our work and how your support is making lives better in our community please contact us at (902) 624-1897 or visit us at www.von.ca.

With appreciation,

Joanne E. Hughes

RECEIVED
AUG 11 2020

Joanne Hughes, Chair
VON Lunenburg Site
Community Corporation Member

NOVA SCOTIA

**Municipal Affairs and Housing**
**Office of the Minister**

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902 424 5550 Fax 902-424-0581 • novascotia.ca

July 28, 2020

Beatrice Renton
Town of Lunenburg

VIA EMAIL: brenton@explorelunenburg.ca

Dear Beatrice Renton:

Thank you for your recent request for funding under the Beautification and Streetscaping Program 2020 for the Beautification of Brook Street Victoria Road Water Retention Gardens.

I am pleased to advise that the Department of Municipal Affairs and Housing (DMAH) will contribute $5,000 toward the cost of this project.

Projects are to follow the terms and conditions outlined in the Program guidelines, and a final report containing proof of expenditures must be submitted within 30 days of project completion.

The Department is coordinating a public announcement and may reach out to you during that process. In the interim, I would ask that you keep the funding information confidential until such time as the public announcement occurs.

Should you have any questions about this Program, please contact Nick Barr, A/Director of Governance and Advisory Services, at (902) 424-4656.

Sincerely,

Chuck Porter
Minister

c: Mayor Rachel Bailey, rbailey@explorelunenburg.ca
Nick Barr, A/Director of Governance and Advisory Services, DMAH

NOVA SCOTIA

**Municipal Affairs and Housing**
**Office of the Minister**

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424 5550 Fax 902-424-0581 • novascotia.ca

July 28, 2020

Beatrice Renton
Town of Lunenburg

VIA EMAIL: brenton@explorelunenburg.ca

Dear Beatrice Renton:

Thank you for your recent request for funding under the Beautification and Streetscaping Program 2020 for the Tannery Road Seawall - Green Space.

I am pleased to advise that the Department of Municipal Affairs and Housing (DMAH) will contribute $7,500 toward the cost of this project.

Projects are to follow the terms and conditions outlined in the Program guidelines, and a final report containing proof of expenditures must be submitted within 30 days of project completion.

The Department is coordinating a public announcement and may reach out to you during that process. In the interim, I would ask that you keep the funding information confidential until such time as the public announcement occurs.

Should you have any questions about this Program, please contact Nick Barr, A/Director of Governance and Advisory Services, at (902) 424-4656.

Sincerely,

Chuck Porter
Minister

c: Mayor Rachel Bailey, rbailey@explorelunenburg.ca
Nick Barr, A/Director of Governance and Advisory Services, DMAH

Copy link into google chrome: https://novascotia.ca/news/release/?id=20200812003

State of emergency declared. See Novel Coronavirus (COVID-19) updates (https://novascotia.ca/coronavirus/) and check for location, program and service closures, cancellations and changes (https://novascotia.ca/closures/).

News release

# 50 Projects Receive Beautification Funding

Municipal Affairs and Housing (../search?dept=178)
August 12, 2020 - 11:49 AM

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Creating beautiful and inviting spaces encourages economic development and enhances the quality of life for residents in communities.

That is why the provincial government is partnering with municipalities to invest $629,476 in 50 beautification projects across Nova Scotia.

Chuck Porter, Minister of Municipal Affairs and Housing, made the announcement today, Aug. 12, in Windsor, where $17,500 will support the installation of updated signs, picnic tables, planter boxes, mural paintings and a new entrance sign to downtown Windsor.

Mr. Porter also announced $13,861 for the New Minas Beautification Project. This funding will help with the installation of benches, planters and waste receptacles along Commercial Street and add landscaping to the roundabout at Commercial Street and Granite Drive.

“The Beautification and Streetscaping Program supports the development of attractive and inviting areas where residents and visitors want to spend time,” said Mr. Porter. “Investments like this also help to rejuvenate our communities and foster local pride.”

Other projects approved include landscaping, interpretive signs, lighting for public spaces and the creation and installation of an accessible outdoor art gallery.

## Quotes:

"The West Hants Regional Municipality is thrilled to be partnering with the Windsor Township to help stimulate economic growth by enhancing the vibrancy of our downtown."

– *Abraham Zebian, mayor, Region of Windsor-West Hants*

"Beautifying our community has been identified as a priority by the New Minas Village Commission. The support from Municipal Affairs and Housing for projects like the ones we are undertaking makes a huge difference to what we are able to accomplish."

– *Mary Munroe, commissioner, Village of New Minas*

"Through this program, municipalities have up to 50 per cent of their project costs covered. As a result, communities from Sydney to Yarmouth have been able to develop beautiful areas for their residents and visitors alike and enhance the well-being in municipalities across the province."

– *Pam Mood, president, Nova Scotia Federation of Municipalities*

## Quick Facts:

- program is application-based
- funds up to 50 per cent of the costs of eligible municipal projects to a maximum of $25,000

## Additional Resources:

A full list of projects is available at https://beta.novascotia.ca/documents/beautification-and-streetscaping-program-grant-recipients-2020 (https://beta.novascotia.ca/documents/beautification-and-streetscaping-program-grant-recipients-2020) .

Department of Municipal Affairs and Housing Twitter: https://twitter.com/dma_ns (https://twitter.com/dma_ns)

-30-

## Media Contact:

Krista Higdon
902-220-6619 (tel:+19022206619)
Email: krista.higdon@novascotia.ca (mailto:krista.higdon@novascotia.ca)

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- Archive: news releases from 1995-97 (/news/archive.asp)

State of emergency declared. See Novel Coronavirus (COVID-19) updates (https://novascotia.ca/coronavirus/) and check for location, program and service closures, cancellations and changes (https://novascotia.ca/closures/).

# Beautification and Streetscaping Program grant recipients: 2020

> Recipients of the Beautification and Streetscaping Program grant for 2020, including the name of the municipality, project name and grant amount.

This document provides a list of the Beautification and Streetscaping Program grant recipients.

Information includes:

- name of municipality
- project name
- grant amount

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Beautification and Streetscaping Program (BSP) Grant Recipients - 2020

2 page PDF

File size: 119 kB

(/sites/default/files/documents/1-2486/beautification-and-streetscaping-program-bsp-grant-recipients-2020-en.pdf)

This document may not be fully accessible if you're using assistive technology.

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Type: Recipients (awards, funding)

Department: Municipal Affairs and Housing

## Was the information on this page helpful?

Let us know about your experience with this content (/was-content-helpful?pid=MA_BSP_006)

Beautification and Streetscaping Program 2020 - Successful applicants project information

| Municipality | Project Name | Amount Approved |
|---|---|---|
| Municipality of the County of Colchester | Fundy Discovery Site | 25,000 |
| Municipality of the County of Cumberland/Pugwash Communities in Bloom | Pugwash Open Air Gallery | 10,000 |
| Municipality of the County of Inverness/Whycocomagh Streetscape Committee | Implementation of the Whycocomagh Brand, Signage & Streetscape Plan | 25,000 |
| Municipality of East Hants | Dawson Dowell Park Improvement Project | 21,250 |
| Town of Port Hawkesbury | Port Hawkesbury Community Park Streetscaping Upgrades | 21,250 |
| Municipality of the District of St. Mary's | Phase 2 - 16 Main Street Public Parking and Walkway Enhancements | 21,250 |
| Municipality of the County of Victoria/Village of Baddeck | Village of Baddeck Community Wharf and Surrounding Area Beautification - Phase 1 | 12,750 |
| Town of Kentville | Kentville Gateway Project | 12,750 |
| Town of Wolfville/Wolfville Business Development Corporation-Stay Healthy | Stay Healthy Downtown | 20,081 |
| Municipality of the District of Chester | Trail Art Project | 21,250 |
| Town of Oxford | Wild Blueberry Capital Beautification Project | 17,500 |
| Town of Kentville | Centre Square Activation Project | 9,520 |
| Municipality of the District of Guysborough | Community Enhancement Program - Canso | 17,500 |
| Town of Stewiacke | 2020 Town of Stewiacke Beautification Project | 7,000 |
| Town of Berwick | Berwick Beautification Project: Phase 2 | 17,500 |
| Mun of the County of Cumberland/Springhill Communities in Bloom | Springhill Beautification and Streetscaping | 17,500 |
| Town of Antigonish | Chisholm Park Renovations | 13,643 |
| CBRM | CBRM Blossoming 2020-Sydney | 17,356 |
| CBRM | CBRM Blossoming 2020-North Sydney and Sydney Mines | 10,806 |
| CBRM | CBRM Blossoming 2020-Glace Bay, Reserve Mines and Dominion | 12,607 |
| CBRM | CBRM Blossoming 2020-Whitney Pier and New Waterford | 10,806 |
| CBRM | CBRM Blossoming 2020-Port Morien and Louisbourg | 7,925 |
| Municipality of the County of Inverness/Margaree Area Development Association | Margaree Brand, Signage & Concept Development Plan | 8,191 |
| Municipality of the County of Inverness/Friends of Whale Watch Cape Breton (Pleasant Bay) | Pleasant Bay Brand, Signage and Conceptual Development Plan | 17,500 |
| Town of Yarmouth | Downtown Beautification | 11,655 |
| Municipality of the County of Kings/Village of New Minas | New Minas Beautification | 13,861 |
| Region of Windsor and West Hants Municipality | Windsor Township Streetscape Beautification | 17,500 |
| Mun of the County of Cumberland/Parrsboro and Joggins | Streetscape Eye Candy for Parrsboro and Joggins | 17,500 |

| | | |
|---|---|---|
| Town of Digby | Welcome Signage/ Banners/ Wayfinding Project | 7,000 |
| Town of Lunenburg | Beautification of Brook Street Victoria Road Water Retention Gardens | 5,000 |
| Town of Wolfville/Wolfville Business Development Corp-Holiday Decoration | Main Street Holiday Decoration - Night of Lights | 7,000 |
| Muninicipality of the County of Cumberland/Parrsboro and District Board of Trade | Pretty Parrsboro | 7,500 |
| Municipality of the District of Barrington | Municipality of Barrington Beach Signage Plan | 7,288 |
| Town of Middleton | Towards a Stronger Heartbeat - Beautification 2020 | 4,000 |
| Town of Bridgewater | Bridgewater Downtown Beautification - Decorative Lighting | 12,500 |
| Municipality of the County of Colchester/Village of Tatamagouche Commission | Campbells Marina Development | 9,375 |
| Town of Westville | Beautification Program of Downtown Westville | 6,250 |
| Town of Amherst | Gritty to Pretty | 12,500 |
| Town of Annapolis Royal | Downtown Beautification Project | 10,538 |
| Region of Queens | Waymarking Signage Refresh for Downtown Liverpool | 7,500 |
| Municipality of the District of Lunenburg | Comprehensive Wayfinding Strategy and Plan | 12,500 |
| Town of Mahone Bay | 2020 Edgewater Streetscape & Wayfinding Signage Project | 12,500 |
| HRM | South Park Street Streetscaping | 12,500 |
| Municipality of the District of Chester | Beautification of Parade Square, Village of Chester | 12,500 |
| CBRM/Downtown Sydney Development Association | Downtown Sydney Beautification | 5,825 |
| Municipality of the County of Annapolis | Queen Street Reconstruction | 12,500 |
| Town of New Glasgow | Working Community 2021 | 10,000 |
| Town of Clark's Harbour | Town of Clark's Harbour 2020 Street Beautification Program | 5,000 |
| Town of Lunenburg | Tannery Road Seawall - Green Space | 7,500 |
| CBRM/Sydney & Louisbourg Railway Historical Society | Facade Improvement - Louisbourg's Iconic Yellow Caboose | 5,750 |

NOVA SCOTIA
**Fisheries and Aquaculture**
**Minister**

PO Box 2223, Halifax, Nova Scotia, Canada B3J 3C4 • Telephone 902 424-8953 Fax 902 428-3145 • novascotia.ca

July 23, 2020

Mayor Rachel Bailey
Town of Lunenburg
PO Box 129
Lunenburg, NS B0J 2C0

Dear Mayor Rachel Bailey:

I am writing to inform you about a funding program that the Nova Scotia Department of Fisheries and Aquaculture has launched and ask for your support.

Nova Scotia is known for its clean coastal and ocean environment from which our seafood comes. Marine debris harms both our environment and our economy. Our seafood industry has been undertaking efforts to clean up our shores and oceans in some areas of the province and we want to encourage and support these efforts.

We have established the Marine Debris Clean-Up program which provides financial support to remove debris from areas that are of commercial and social importance to the seafood sector of Nova Scotia. Please see the attached program package for more information or visit https://novascotia.ca/fish/marine-clean-up/.

Covid-19 temporarily restricted the ability to conduct clean-ups. Now that restrictions are changing and our province is entering a new 'normal', organizations may be able to consider clean-ups that can be conducted safely following public health guidelines.

The removal of debris from our oceans and shorelines will support the pristine image of our coastal communities and have direct benefits to tourism. I recognize that municipalities play a vital role in this effort, and I encourage you to consider your current and future involvement. Municipal waste and recycling charges can be an impediment to clean-up efforts. Waiving these fees for clean-up projects may be one way that you can provide support.

If you have questions about the Marine Debris Clean-Up program, or would like to discuss your municipality's involvement, please contact Amber Creamer at (902)237-7146 or amber.creamer@novascotia.ca.

Yours sincerely,

Honourable Keith Colwell, E.C.N.S

NOVA SCOTIA

**Marine Debris Clean-Up**
***Program Guide***

## Program Objectives

The Marine Debris Clean-Up program provides financial support to remove debris from Nova Scotia's ocean and shorelines.

## Program Overview

The program consists of two streams. Applicants may apply to one or both streams.

| Stream | Description | Maximum Support |
|---|---|---|
| Shoreline Clean-Up | A land-based clean-up to remove debris from coastal areas | 40% of project costs up to $5,000 |
| Ocean Clean-Up | An ocean-based clean-up to remove debris from marine areas | 20% of project costs up to $5,000 |

## Eligibility

Applications will be accepted from:

- Organizations in the seafood harvesting, processing, buying, or aquaculture industry.
- Community organizations that have a letter of support from an organization in the seafood harvesting, processing, buying or aquaculture industry.

Organizations must be active with the Registry of Joint Stock Companies.

## Financial Assistance

Each applicant may be eligible for funding up to the maximum support identified in the Program Overview. The remaining project costs may include in-kind contributions, financial contributions and/or other program funding. At least 20% of the total project costs must come from the applicant.

Eligibility for funding will be assessed on factors such as:

- **Merit** – the feasibility of the project and qualification of the applicant and other project partners and professionals involved.
- **Project Costs** – the detail provided in the project budget and the financial and in-kind support from other contributors.
- **Support –** the degree of community and seafood industry reach.
- **Impact -** the impact of the project on the commercial and social prosperity of the seafood sector.

The department has the authority to deny an application based on any of the selection criteria or availability of funding.

Applicants are encouraged to explore potential funding from federal and municipal governments and local businesses, as well as explore existing programs that support debris clean-ups. Applicants are also encouraged to collaborate with other seafood industry leaders in their area. Letters of support from funders and outreach partners should accompany the application.

## Eligible Expenses:

- Materials and supplies (ex: gloves, wire cutters)
- Equipment rental
- Activities to promote the project and recruit volunteers (at a maximum of 10% of total project costs)
- Liability insurance

## Ineligible Expenses (include but are not limited to):

- Multi-use equipment that is not specialized to the project (ex: laptops)
- Existing staff salaries and normal operating expenses of the organization
- Volunteer time

## Application Process

Applications will be accepted starting March 1, 2020 for the 2020/2021 fiscal year. Applications will be accepted until all available funding has been awarded.

Please submit a completed application form along with supplemental information (when relevant) by e-mail to MarineCleanUp@novascotia.ca or send by mail to:

Marine Division
Nova Scotia Department of Fisheries and Aquaculture
2 – 173 Haida Street
Cornwallis Park, NS
B0S 1H0

## Approval Process

- Applications will be reviewed by the Nova Scotia Department of Fisheries and Aquaculture.
- Department staff may contact the applicant for additional information or to recommend project modification.
- If approved, applicants will receive a Letter of Agreement which identifies the eligible project activities, assistance offered, and the terms and conditions under which assistance is approved.
- Sign and return the Letter of Agreement and any additional information requested within 60 days of the date of the letter to secure your funding.
- Funding will be released following project completion and submission of required documentation.

## Terms and Conditions for Awarding Financial Support:

- Aquaculture operators are responsible for the retrieval of gear or debris that breaks loose from aquaculture sites under the Aquaculture Management Regulations. Operators can be fined for failure to clean-up lost gear and debris. Projects that fall under these regulations are not eligible under this program.

- The proponent is responsible for obtaining liability insurance for the clean-up, if required. Liability insurance is an eligible expense.

- The proponent is responsible to ensure that all required approvals or permits are obtained, and that waste is disposed of appropriately.

- The proponent is responsible for clean-up safety and logistics.

- The proponent must provide a Claim Report within one month of the project completion date that includes:
    - How community outreach was conducted
    - What participants and partners were involved and in what capacity
    - An inventory of the debris collected and waste management method (template provided)
    - Photographs of the event
    - A summary of all project expenses incurred, supported by copies of all relevant invoices, receipts and proof of payment.

- Any photographs provided must be accompanied by photo release forms. These photographs will become property of the department and may be used in communication products.

- Any promotional product or publicly released messaging and photos related to the project must be reviewed and approved by the Nova Scotia Department of Fisheries and Aquaculture. The proponent must acknowledge the Nova Scotia Department of Fisheries and Aquaculture's financial contribution in these products.

- Department staff may monitor / participate in the project.

## Confidentiality

Applicants consent to the release of their name and the amount of support received under the program. This specific information is deemed to be public information, to be actively disseminated by the Nova Scotia Department of Fisheries and Aquaculture (NSDFA). NSDFA may provide any information from an applicant to another public body or a law-enforcement agency in Canada to assist in an investigation, undertaken with a view to a law-enforcement proceeding or from which a law-enforcement proceeding is likely to result. Any other information provided, unless disclosed in the manner and for the purposes stated above, will be subject to the confidentiality and disclosure provisions to the Freedom of Information and Protection of Privacy (FOIPOP) Act.

## Contact Information

For more information, contact MarineCleanUp@novascotia.ca or call 902-237-7146.

NOVA SCOTIA

**Marine Debris Clean-Up**
***Application***

| Date Received: | |
|---|---|

## Section 1. Applicant Information

Organization:

Is this a registered Non-Profit Organization? ☐ Yes ☐ No Registry of Joint Stocks #:

Contact Name: Title / Position:

Mailing Address:

Telephone: E-mail:

## Section 2. Details about your proposed project

What type of project are you applying for? ☐ Shoreline clean-up ☐ Ocean clean-up

Location(s) of Clean-Up and size of area:



| Region: | Specific Location(s): | Size of Area: | Clean-up Date(s): |
|---|---|---|---|
| **Yarmouth / French Shore** | | | |
| **Shelburne** | | | |
| **South Shore** | | | |
| **Eastern Shore** | | | |
| **Northumberland** | | | |
| **Cape Breton East** | | | |
| **Cape Breton West** | | | |

*Please submit maps and photos of the area with this application form.*

## Section 3. Explain the Details of your Project

Provide a brief summary of your project:

Describe the objectives of the project and outline the work plan / approach:

Define the impact and benefits to the Nova Scotia seafood sector:

Describe the expertise/background of your organization, and your involvement in the seafood sector:

List any partners involved in this project, including those providing advisory services, operational support, or financial support. Describe their involvement and provide letters of support if applicable:

Briefly describe how community outreach will be conducted:

## Section 3: Proposed Budget

Please fill out the following table with project financial information.
*See the program guidelines for a list of eligible expense categories*

| Expense Category | Expenditure Item(s) | Total Cost ($) | Request from NSDFA ($) | ($) Funding from other sources | | |
|---|---|---|---|---|---|---|
| | | | | Cash ($) | In-Kind ($) | Contributor |
| ***Example**: Materials* | *Garbage bags* | *$200* | | *$200* | | *XY Fisheries Association* |
| ***Example:** Promotion* | *Newspaper Advertisements* | *$200* | *$200* | | | |
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| **TOTALS:** | | **Total Project Cost:** | **Total Requested:** | **Total Cash Contribution:** | **Total In-Kind Contribution:** | |
| | | | | | | |

## Section 4. Statement of Certification

By submitting this application form, I acknowledge and agree with the following:

- To the best of my knowledge and ability, that the information provided on this application form is accurate;
- That I have read the Program Guidelines and, if the application is approved in whole or in part, I agree to abide by the terms and conditions as set out in the Program Guidelines;
- I consent to the audit and verification of the information submitted with this application by Nova Scotia Department of Fisheries and Aquaculture;
- I consent to the use and disclosure of the information by officials of the Nova Scotia Department of Fisheries and Aquaculture or Province of Nova Scotia, where the Information is relevant for the purposes of evaluation, program development and determining assistance;
- I agree to repay any amount determined after the project conclusion date that is deemed to have been provided in excess of the government contributions to which I am entitled;
- I consent to the release of the organization name, the amount of any support received under the Program, and details of the clean-up as public information, to be actively disseminated by the Province of Nova Scotia;
- I acknowledge that any other Information provided, unless disclosed in the manner and for the purposes to which I have consented above, will be subject to the confidentiality and disclosure provisions of the Freedom of Information and Protection of Privacy Act (FOIPOP); and
- I confirm that I have the authority to bind the organization.

| _____ | _____ | _____ |
|---|---|---|
| Applicant Name (print) | Applicant Signature | Date |

Please submit a completed application form along with supplemental information (when relevant) by e-mail to MarineCleanUp@novascotia.ca or send by mail to:

Marine Division
Nova Scotia Department of Fisheries and Aquaculture
2 – 173 Haida Street
Cornwallis Park, NS, B0S 1H0

rec'd Aug 10/20

Burke, Macdonald & Luczak
Barristers & Solicitors

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

August 5, 2020

Bea Renton
CAO
Town of Lunenburg

DELIVERED

Dear Bea:

**Re: Alternate Voting Bylaw and Election Resolutions**

Enclosed herewith is a Resolution to be passed at the August meeting of Council in Open Session. Would you kindly add it to the Agenda as a bolded item.

Yours very truly,

**BURKE, MACDONALD & LUCZAK**

Patrick A. Burke, Q.C.
PAB/cp
Encl.
Cc: Heather McCallum

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Confirming Resolution of Council
of the Town of Lunenburg

WHEREAS

A. The Town has passed an Alternative Voting Bylaw which became effective upon publication, and

B. Publication occurred by advertisement in the Progress Bulletin on August 5, 2020.

C. Section 3(2) of the Bylaw provides that Council may by Resolution provide that voting by telephone and by a personal computing device (via the internet) shall be the only means of voting for an election.

D. On July 28th Council resolved that for the 2020 Municipal and CSAP School Board elections voting by telephone and by a personal computing device via the internet shall be the only means of voting.

E. On July 28th Council set the Advance Poll days and the Alternative Poll days.

AND WHEREAS this Resolution is to confirm the actions of Council in that regard.

BE IT RESOLVED that:

a) this is to confirm that for the 2020 Municipal and CSAP School Board elections, voting by telephone and by a personal computing device (via the internet) shall be the only means of voting; and

b) this is to confirm that for the 2020 Municipal and CSAP School Board elections, the Advance Poll shall be on Thursday October 8, 2020 and Tuesday October 13, 2020; and

c) this is to confirm that for the Municipal and CSAP School Board elections, the Alternative Polling Days shall commence on Thursday October 8, 2020 at 12:00 noon and end on Saturday October 17, 2020 at 7:00 pm.

**DRAFT RESOLUTION FOR AUGUST 25, 2020 COUNCIL MEETING**
Proposed Delegation of Election Workers' Fees Establishment -
Section 139 (1A) Municipal Election Act

*WHEREAS:*

Council established a tariff of fees for election workers on April 28, 2020 when a traditional paper ballot election was to be conducted and whereas the election will now be conducted by alternative voting method and Town staff will be the only necessary election workers other than the Returning Officer and System Elections Officer to audit the electronic vote,

*BE IT RESOLVED THAT:*

Pursuant to section 139 (1A) of the Municipal Elections Act Council hereby delegates its authority to make, revise and amend the tariff of fees and expenses and provide for a method of rendering and verifying accounts for payment to the Chief Administrative Officer for the election workers who are employees of the Town and the System Elections Officer.

## Kelly Jardine

**From:** Donna Kelly [mailto:dmkelly@eastlink.ca]
**Sent:** July-09-20 6:49 AM
**To:** Bea Renton <brenton@explorelunenburg.ca>
**Subject:** Re: Change To Parking Bylaw regarding Veteran plates

Good morning Bea,

I would like to see an exemption for veterans to enable them to park wherever they choose while visiting Lunenburg. There are very few. Most Legion members from other places park in our parking lot. Veterans who have veteran plates from other areas Who are not Legion members and don't know to ask to park in our lot should be able to park unrestricted by time limits. We are talking very, very few people who visit here. Their service to our country should give them that exemption.

Regards

Donna Kelly
President
Royal Canadian Legion Branch 23

---

**From:** Donna Kelly <dmkelly@eastlink.ca>
**Date:** June 21, 2020 at 8:57:12 AM ADT
**To:** Rachel Bailey <RBailey@explorelunenburg.ca>
**Subject: Change To Parking Bylaw regarding Veteran plates**

Good afternoon Mayor Bailey And Councillors

I was deeply disappointed and saddened to see that a change to the parking meter bylaw regarding the veteran exemption at parking meters was introduced, and passed first reading, without any consultation with Royal Canadian Legion Branch 23, Lunenburg.

In my three years as president of Branch 23, I have met many veterans from other areas of Lunenburg County, other parts of Nova Scotia and from other Provinces who were pleased to be informed that they did not need to feed the meters in the Town of Lunenburg if they had a veteran license plate. They were appreciative and left the area knowing that their service to Canada was recognized.

With the proposed amendment, I now will have to tell them that your years of service to Canada, although appreciated by the Town of Lunenburg, is not worth any more than two hours at a parking meter. I personally find this reprehensible and would be embarrassed to have to tell veterans this information.

We have very few veterans living here and visiting here. The loss of revenue to the Town is negligible. To minimize the veterans parking exemption will make our a Town look cheap and disrespectful towards our veteran community. I ask that this amendment be defeated on next reading so that our veteran community can continue to feel welcomed and respected in the Town of Lunenburg.

Thank you for your consideration of this email in your upcoming deliberations.

Sincerely,

Donna Kelly
President
Royal Canadian Legion Branch 23

Sent from my iPad

**BY-LAW NO. 20**

**A BY-LAW RESPECTING PARKING METERS**

**Short title**

1. This By-Law shall be known as and may be cited as the "Parking Meters By-Law". Interpretation.

2. In this By-Law:

   i. "Commercial Motor Vehicle" means a commercial motor vehicle as defined in the Motor Vehicle Act;

   ii. "Council" means the Town Council of the Town of Lunenburg;

   iii. "Motor Vehicle" shall have the meaning assigned to motor vehicle by the definitions in the Motor Vehicle Act;

   iv. "Motor Vehicle Act" means RSNS 1989 Chapter 293 as amended;

   v. "Parking Meter" means a mechanical or electronic device that indicates a period of time shall be purchased by payment, during which parking is permitted in the parking space to which the meter relates;

   vi. "parking space" means a space for parking a motor vehicle controlled and regulated by a parking meter;

   vii. "Peace Officer" means a police officer, or a special constable appointed by the Police Act, SNS 2004 C. 31 as amended; and

   viii. "Town" means the Town of Lunenburg.

**Purchase or lease of meters**

3. The Council is authorized to purchase or lease from any person or body corporate such number of parking meters as it may deem necessary, and for this purpose, the Council may enter into agreements with any person or body corporate for the purchase or lease thereof upon such terms of payment thereof as it may deem advisable.

4.

   (1) Placing of Parking Meters

   Parking Meters installed in the Town shall be placed on or adjacent to the sidewalk or near the curb or edge of the roadway, or in parking grounds.

(2) Relation of meters to spaces

An individual meter shall relate to the parking space within which or adjacent to which it is placed and a twin meter shall relate to the two parking spaces immediately adjacent to it and all meters shall relate to their respective parking spaces in accordance with this By-Law.

(3) A parking meter shall be identified by a number which shall be known as the meter number.

Enforcement and Administration:

5.

(1) It shall be the duty of all members of the RCMP policing the Town of Lunenburg, [as well as all Special Constables whose powers and/or duties include the enforcement of this By-law] to enforce the provisions of this By-law.

(2) The installation, operation, maintenance, location and removal of all parking meters in the Town shall be under the authority of the Town Council and under the management, supervision and direction of the Town Engineer of the Town.

**Spaces to be marked**

6. Parking spaces shall:

(1) be of sufficient size to accommodate one passenger motor vehicle; and

(2) be marked off by painted lines or other means, adjacent to the curb or sidewalk or edge of the roadway of the streets upon which parking meters are installed, and marked off by painted lines or other means in any parking ground upon which parking meters, are installed.

7.

(1) Vehicles shall be parked within the bounds of the parking space.

(2) Notwithstanding subsection (1), where the dimensions of a motor vehicle are such that it exceeds the size of the parking space, the motor vehicle may occupy more than one parking space, but coin deposit must be placed by the driver in all applicable meters.

(3) it shall be an offence and a violation of the Bylaw for any driver to park or leave standing any motor vehicle beyond the lines or markings of the parking space except as provided for in subsection (2) of this section.

(4) Not more than one motor vehicle shall be parked in any parking space.

**Sign on meter**

8.

(1) Each parking meter installed shall have thereon an appropriate sign or device stating the parking time permitted in the individual parking space to which it relates.

**Time indicator**

(2) When in operation, each parking meter shall indicate either by a dial and pointer or a digital display, the period of time acquired by coin deposit during which parking is permitted in the parking space to which such meter relates, and shall upon the expiration of the period of time permitted for parking indicate either that parking in such parking space is in violation of this By-Law or provide that the word "violation" or "expired" or "time expired" is visible in the observation window of the parking meter or where the meter has a digital display show a reading of "00:00".

(3) Each parking meter shall bear thereon directions indicating the days and hours when the requirement to deposit coins therein shall apply, the value of the coins to be deposited, and the limited period of time for which parking is lawfully permitted in the parking space to which such meter relates.

(4) Depositing excess coins in a parking meter shall not give credit for any additional time beyond the maximum time illustrated on the said parking meter.

(5) Only coins which are lawful money of Canada shall be deposited in a Parking Meter.

**Fees**

9. The rate for parking meters within the Town of Lunenburg shall be set by the Town Council from time to time.

   For convenience a meter may accept coins of larger denomination without giving additional time beyond the maximum time allotted for the meter.

**Restriction**

10. The parking or leaving standing of any motor vehicle in a parking space provided by this By-Law or by any By-Law of the Town, shall be restricted to the manner prescribed by the directions set forth on the parking meter relating to such parking space.

**Offence**

11.

(1) It shall be an offence and a violation of this By-Law for the driver of any motor vehicle to park or leave the same standing in any parking space and fail to

immediately deposit in the parking meter relating to such parking space, a coin or coins of lawful money of Canada and of sufficient value to permit the parking or leaving standing of such motor vehicle in such parking space for any period of time permitted by this By-Law and as shown by directions set forth on such parking meter.

(2) It shall be an offence and a violation of this By-law for the driver of a motor vehicle to park or leave the same standing in any parking space regulated by a parking meter for a period of time in excess of the maximum period allowed by the direction on the parking meter regardless of the payment deposited or whether the word "expired" or the digital display reading "00:00" is visible in the parking meter's observation window.

**Commercial**

12.

(1) Notwithstanding any other provision of this By-law, the driver of a commercial motor vehicle, may park or leave such commercial motor vehicle standing in any parking space for the purpose of loading or unloading goods, wares, merchandise, materials or passengers for any period of time not exceeding thirty minutes, without depositing any coin or coins in the parking meter relating to such parking space.

(2) It shall be an offence and a violation of this By-Law for the driver of a commercial motor vehicle:

(a) to park or leave same standing in any parking space for any period of time in excess of thirty minutes; and

(b) notwithstanding subsection (1) of this section, to fail to comply with the direction set forth on the parking meter relating to such parking space;

Maximum Time

13. When the driver of any motor vehicle has parked or left the motor vehicle standing in any parking space for a period of time in excess of the maximum period of time allowed by the directions set forth on such parking meter, it shall be a new and separate offence for each additional hour that an offence continues.

**Offence**

14.

(1) It shall be an offence and a violation of this By-Law for a driver of a motor vehicle to permit the same to be parked or left standing in any parking space while the word "violation" or "expired" or "time expired" is visible in the observation window

of the parking meter relating to such parking space or where the meter has a digital display reading "00:00", unless such motor vehicle is parking pursuant to the provisions of section 12 herein.

(2) It shall be an offence and a violation of this Bylaw for the driver of a motor vehicle to park or leave standing the motor vehicle in a parking space if a period of time has not been purchased from the parking meter.

**Slugs prohibited**

15. It shall be an offence and violation of this By-law for any person to deposit or cause to be deposited in any parking meter installed in the Town, any disc, slug, device, metallic substance or other substitute for the coins permitted to be deposited in accordance with this By-Law.

**Penalty**

16.

(1) Any person alleged to have violated this By-law [other than section 20 hereof] shall be given notice by a ticket left on the motor vehicle for each offence.

(2) A person who contravenes any section of this By-law [other than section 20 hereof] is liable upon summary conviction to a penalty of thirty dollars ($30.00). A person who is alleged to have violated the Parking Meter By-law and is given notice of the alleged violation may pay a penalty in the amount of fifteen dollars ($15.00) for each offence to the Town of Lunenburg provided that said payment is made within a period of 14 days following the day on which the alleged violation was committed, and any such payment made within such time shall be in full satisfaction, releasing and discharging all penalties and imprisonments which could be incurred by the person for the violation or violations. If no payment is made within 14 days following the date on which the alleged violation was committed, the person shall be liable to a fine of thirty dollars ($30.00) for each offence (plus any applicable charge referred to in the Summary Proceedings Act RS 450 as amended from time to time or in the Summary Offence Ticket Regulations thereunder).

(3) Each additional period of one hour that any person is found to be in violation of this By-Law shall constitute a new and separate offence.

**Liability of Owner and Driver**

17.

(1) It is an offence to be the registered owner of a motor vehicle that is parked or left standing in violation of this bylaw, whether or not the registered owner is the driver of the motor vehicle at the time of the violation.

(2) The owner of a motor vehicle shall incur the fine provided for a violation of this By-law unless at the time of such violation the motor vehicle was in the possession of some person other than the owner without the owner's consent, either expressed or implied, and the driver of a motor vehicle not being the owner thereof shall also incur the fine, penalties and other consequences provided for such violation of this By-law.

**No fees payable**

18.

(1) No fee shall be payable for parking meters from and including the last week of November of each year until and including the 31st day of December of the same year, provided nevertheless that the maximum parking time allowed on the parking meters shall still be enforced. It shall be an offence and a violation of this By-law for the driver of a motor vehicle to park or leave the same standing in any parking space regulated by a parking meter during the period from and including the last week of November of each year until and including the 31st day of December of the same year for a period in excess of the maximum parking time which can be purchased on that parking meter.

(2) No fee shall be payable for parking meters during such additional day or days as shall be established by resolution of Town Council. It shall be an offence and a violation of this By-law for the driver of a motor vehicle to park or leave the same standing in any parking space regulated by a parking meter during said additional exempt day(s) for a period in excess of the applicable maximum parking time which can be purchased on that parking meter.

(3) No fee shall be payable for parking meters on any statutory holiday, Sunday or between the hours of 5:00 p.m. on one day and 10:00 a.m. of the next day.

19.

a. Notwithstanding the provisions of this By-law, the Finance Director or their designate may, upon being satisfied that the use of a parking space or spaces is reasonably necessary on a short term continuous basis, issue a temporary parking permit for a specific period of time authorizing the short-term usage of a parking space without depositing monies in the parking meter. The permit shall only be issued for motor vehicles or contractors' equipment trailers or construction dumpsters, and shall be displayed in the windshield of the motor vehicle or on an exterior side of the construction dumpster, or equipment trailer, as the case may be. Before a permit is issued, prepayment shall be made at the Town Office of an amount set by Council from time to time plus HST per sparking space for each day of the period referred to in the permit.

b. Notwithstanding the provisions of this By-law, the Finance Director or their designate may issue a permit for overnight parking in areas on Town property designated by the Treasurer for overnight parking, upon prepayment at the Town

Office of an amount set by Council from time to time per month plus HST for each month (or part thereof) of the period referred to in the permit.

c. It shall be an offence and a violation of this By-law for any person:
    i. to utilize a parking space for a motor vehicle or construction dumpster or contractor's equipment trailer as referred to in section 19(a) without a valid permit, or
    ii. to park overnight in any area on Town property designated by the Treasurer for overnight parking without a valid permit.

20.

i. It shall be an offence and a violation of this By-law for a person to block, impede or hinder the use of a parking space regulated by a parking meter, by placing a cone or cones or other object or objects in the parking space.

ii. A person who contravenes this section of the By-law is liable upon summary conviction to a penalty of Fifty Dollars ($50.00).

A person who is alleged to have violated this section of the By-law and is given notice of the alleged violation, may pay a penalty in the amount of Twenty-Five Dollars ($25.00) for each offence to the Town of Lunenburg provided that said payment is made within a period of 14 days following the day on which the alleged violation was committed, and any such payment made within such time shall be in full satisfaction, releasing and discharging all penalties and imprisonments which could be incurred by the person for the violation or violations. If no payment is made within 14 days following the date on which the alleged violation was committed, the person shall be liable to a fine of Fifty Dollars ($50.00) for each offence (plus any applicable charge referenced in the Summary Proceedings Act RS 450 as amended from time to time or in the Summary Offence Ticket Regulations thereunder).

21. Notwithstanding the other provisions of the By-law, no parking ticket shall be issued to any registered owner of a vehicle lawfully displaying a veteran's number plate issued pursuant to the "Veteran's Number Plate Regulations" of Nova Scotia for a parking meter violation (but this exemption shall not apply to the maximum parking time displayed on the parking meter).

**Enforcement**

22. This Bylaw may be enforced by any Peace Officer.

**Repeal**

23. All former Parking Meters By-laws of the Town (and specifically the existing Parking Meter By-law No. 20 and any purported amendments thereto) are hereby repealed and this By-Law substituted therefor.

## CERTIFIED AMENDMENT TO THE TOWN OF LUNENBURG BY-LAW NO. 56

## HACK AND TROLLEY BY-LAW

**WHEREAS** the liability insurance to be provided in order to obtain a Hack License should have the Town added as an "additional insured" and not an "additional named insured".

**BE IT RESOLVED** by the Town of Lunenburg that the Hack and Trolley By-law No. 56 be and is hereby amended as follows:

In section 4(a)(4) the term "additional named insured" shall be deleted and the words "additional insured" shall be substituted therefor.

Any reference to liability insurance in the Application and Renewal Form for a Hack License shall provide that the Town be added as an additional insured and not additional named insured.

Dated this _____ day of _____, 2019.

_____
Bea Renton
Town Manager/Clerk

I, Bea Renton, Town Manager/Clerk for the Town of Lunenburg, do certify that the attached is a true copy of an Amendment to the Town of Lunenburg's Hack and Trolley By-law No. 56, duly approved by the Lunenburg Town Council on _____, 2019, with first reading having been given on _____, 2019, Second and Third readings on _____, and effective on _____, 2019, the date of advertisement in the Progress Enterprise Newspaper.

**Certified Town of Lunenburg**
**Council Resolution**

Motion: moved by Councillor Croft, seconded by Councillor Bachman

WHEREAS:

1. Clause 4(a)(4) provides that a Hack License and any renewal thereof shall contain a provision that adequate proof of liability insurance in an amount to be determined by Council by Resolution from time to time covering the Licensee, and there shall be adequate proof of liability insurance.

2. The Council by this Resolution is establishing an amount for the purposes of clause 4(a) (4) of the By-law.

BE IT RESOLVED:

That liability insurance in an amount of $2.0 Million in 2019/20 and in an amount of $5.0 Million beginning in 2020/21 per occurrence shall be required for a Hack License from and any renewal thereof. Motion carried.

I certify that this is a resolution of the Lunenburg Town Council approved at the March 12, 2019 Council meeting.

_____
Bea Renton, CAO/Clerk

_____
Date

## CERTIFIED AMENDMENT TO THE TOWN OF LUNENBURG BY-LAW NO. 56

## HACK AND TROLLEY BY-LAW

**WHEREAS** Council is not aware of any persons in Nova Scotia licensed to inspect carriages of this nature;

**BE IT RESOLVED** by the Town of Lunenburg that the Hack and Trolley By-law #56 be and is hereby amended as follows:

Section 4 (a) is amended by deleting the following sentence: "A Hack License and any renewal thereof shall contain the following provisions, which are material and go to the essence of the Hack License:" and substituting the following words therefor: "A Hack License Application and an Application for any renewal thereof shall contain the following information which is material and goes to the essence of the Hack License:"

Clause 4 (a) (6) is deleted and the following clause substituted therefor: "(6) Certification by the hack owner that the carriage (hack) is in good condition and safe for operation as a hack as well as evidence of satisfactory appearance inspection of tack and equipment by an individual reasonably capable of assessing it; and."

DATE June 16/03

BEA RENTON,
TOWN MANAGER/CLERK

I, BEA RENTON, TOWN MANAGER/CLERK FOR THE TOWN OF LUNENBURG, DO CERTIFY THAT THE ATTACHED IS A TRUE COPY OF AN AMENDMENT TO THE TOWN OF LUNENBURG'S HACK AND TROLLEY BY-LAW NO. 56, DULY APPROVED BY THE LUNENBURG TOWN COUNCIL ON MARCH 27, 2003, WITH FIRST READING HAVING BEEN GIVEN ON FEBRUARY 27, 2003, SECOND AND THIRD READINGS ON MARCH 27, 2003, AND EFFECTIVE ON APRIL 9, 2003, THE DATE OF ADVERTISEMENT IN THE PROGRESS ENTERPRISE NEWSPAPER.

## CERTIFIED TOWN OF LUNENBURG RESOLUTION REGARDING

## HACK AND TROLLEY BY-LAW # 56

**WHEREAS** the Hack and Trolley By-law contains provisions for Hack Licenses and Hack Operators Licenses.

**BE IT FURTHER RESOLVED** by the Town of Lunenburg that the attached Application form for Hack Licenses and Hack Operator's Licenses be adopted for use pursuant to the Hack and Trolley By-law #. 56 and all previous Application forms are rescinded.

I, Bea Renton, Town Manager/Clerk, for the Town of Lunenburg, certify that this is a true copy of a Resolution duly passed by the Lunenburg Town Council at a meeting duly called and held on March 27, 2003.

June 16/03
Date

Bea Renton
Town Manager/Clerk



# *TOWN OF LUNENBURG*

## *HACK LICENSE*

## *APPLICATION AND RENEWAL FORM*

License No. _____
(for office use only)

NAME: _____

ADDRESS: _____

PHONE: (Work) _____ (Home) _____

DATE OF BIRTH OF APPLICANT:
(If applicable) _____

1. I am the owner of the following Hack:

A. Horse (or horses if rotating)
Description: _____

_____

_____

B. Carriage (characteristics, including dimensions, weight, passenger capacity): _____

_____

_____

C. A color photograph of the carriage is attached.

2. I have liability insurance in the amount of $2 million dollars covering the Licensee and the Town as an additional named insured [attach written confirmation].

3. Attached is a recent proof of health inspection by a licensed veterinarian of the horse or horses to be used in drawing the carriage.

4. The horse(s) will be housed at the following stables:

_____

_____

5. I certify that the carriage (hack) as well as the tack and equipment are in good condition and safe for operation as a hack.

I hereby make application for a Hack License in accordance with the particulars as stated above and declare that the above statements are true and correct, and I undertake that if granted the License applied for, I will comply with each and every obligation contained in all Municipal, Provincial and Federal laws, regulations and by-laws now in force and amendments thereto in the Town of Lunenburg, Nova Scotia.

Date of Application

Signature of Applicant

License approved/Date: _____

TRAFFIC AUTHORITY

License denied/Date: _____

TRAFFIC AUTHORITY

Mail completed Application and applicable fee to:

Town of Lunenburg
P.O. Box 129
Lunenburg, Nova Scotia
B0J 2C0

OR

Deliver to:

Town Hall
119 Cumberland Street
Lunenburg, Nova Scotia
B0J 2C0

NOTE:

6. The Hack and Trolley By-law states:

A. A Hack License shall be issued on a specific vehicle to a specific owner and for a specific horse (or horses where the hack owner intends to rotate horses). A Hack License is not transferrable. Hacks shall be authentically-styled passenger carriages of a style and type approved by Council by Resolution. Carriages must not exceed 12' in length measured from end to end and 6' in width excluding the steps and shafts, and measured from axle tip to axle tip.

B. Failure to abide by the provisions of this By-law, any other Town By-laws, or the Motor Vehicle Act, R.S.N.S. 1989, Chapter 293 in any manner affecting or regulating the operation of the vehicle for which the Hack License is issued, shall be grounds for the suspension or cancellation of the Hack License at the discretion of either the Traffic Authority or the Council.

C. The Council may determine by resolution a maximum number of hacks which shall be allowed to operate in the Town (and may, by Resolution, increase or decrease that number from time to time). If in any year after deducting the number of renewals of hack licenses as referred to in clause 4.(a) and 4.(e), there are a greater number of applications for hack licenses than the maximum number of hacks allowable (less the said renewals), the Council shall select a method of determining the successful applicants (including, without limiting the foregoing, tender or lottery).

D. A Hack License may be renewed upon:

(1) presentation of the vehicle for which renewal is sought prior to expiry of the license at the office of the Traffic Authority by appointment made at least two weeks in advance of expiry of the license; and

(2) satisfactory proof of health inspection of the horse (or horses) within the previous 30 days, by a veterinarian and a certification by the veterinarian that the horse (or horses) is (or are) healthy and able to work in the hack business; and

(3) payment of the annual license fee prescribed by Town Council

provided that all of the requirements of this By-law for issuance of a Hack License continue to be met.

E. A refusal to issue or renew or a revocation or suspension of the license by the Traffic Authority may be appealed to the Council within fourteen days of the decision of the Traffic Authority by written Notice of Appeal delivered to the Manager/Clerk of the Town, and the Council shall convene an appeal hearing and may, following the appeal hearing, make any decision which the Traffic Authority could have made in the first instance.

7. Council may approve hack loading zones where hacks may wait to load or unload passengers. A hack shall be assigned to a specific loading zone for the duration of the yearly license, provided that the loading zones may be relocated, enlarged or reduced in size by Council by Resolution from time to time and further provided that Council may, from time to time, relocate hacks to another assigned loading zone from time to time.

8. Hacks may operate only on such Town streets and routes as are approved by Council; **provided that** the hack may be operated on such other streets in the Town on a temporary basis, as may be authorized by the Traffic Authority or the Council from time to time; **and further provided that** if a Town Street is temporarily closed or obstructed (due to construction, motor vehicle accident, presence of fire fighting apparatus, parade or similar obstruction), the hack may be operated for a period not in excess of two days on such other streets in the Town of Lunenburg to detour around the obstruction without obtaining authorization from the Traffic Authority or the Council. Special occasion requests may also be made by the hack owner to the Traffic Authority who may authorize the hack to operate on other streets in the Town for that special occasion as specifically listed in the Special Occasion Permit. The Traffic Authority or Council may restrict or vary the routes and streets upon which hacks may operate during special events in the Town of Lunenburg.

9. All Hack Operators shall observe all the provisions of the Motor Vehicle Act as are applicable to the operation of hacks. Without restricting the foregoing, all hacks shall display such lighting and reflector apparatus and any other equipment as may be required by the Motor Vehicle Act.

10. All Hack Operators shall be competent in accurately portraying the culture, history and architecture of the Town. The Hack Owner shall provide a written copy of the tour route and Hack Operator commentary to the Council for approval

prior to the issuance of a Hack License and at such other times as requested by the Manager/Clerk of the Town. The Hack Operators shall use such approved commentary.

11. The Hack Operator shall ensure that all horse feces is promptly transported to the horse's stable (or such other location approved by Council from time to time) for proper disposal of same so as not to cause an offensive odour. Horse feces will not be deposited in Town garbage receptacles. The Hack Operator shall also take all necessary steps to prevent any nuisance including odour emanating from horse feces. All horse urine will be promptly dealt with by the Hack Operator by cleaning and sanitizing the affected public or private property so as not to cause an offensive odour.

12. While on duty, a Hack Operator shall:

A. not permit or allow any person on the back of a horse under the said Operator's control;

B. not leave a horse unattended except when confined to a stable or other enclosure or attached to a hitching post;

C. ensure that the horse is always in the Operator's effective control;

D. not permit a hack to be parked without first effectively setting any brake equipment thereon;

E. upon request at any reasonable time without prior notice, make a horse or hack available for inspection by the Traffic Authority, any Town Police Officer, SPCA official, or any veterinarian;

F. operate the hack so as not to unduly impede the flow of motor vehicle traffic on the Town streets.

13. The erection of any hitching post shall be at the sole expense of the Hack Owner and shall not be installed until the location and design is approved by the Town Engineer.

14. The Hacks may be operated only between sunrise and one hour after sunset provided that Council may, by resolution, from time to time, vary the hours and period of operation of Hacks.

15. A Hack Operator shall, at his own expense, keep routes, carriage stands and stationary horse feeding and watering locations clean, sanitary and free of horse feces, urine, litter, and other waste materials, which shall not be deposited in Town garbage receptacles.

16. All Hack Operators and Hack Licensees shall ensure that appropriate and sufficient food and fresh potable drinking water are available for each horse and that, while working, each horse is permitted to eat at reasonable intervals and have access to drinking water as necessary.

17. Hack Operators and Hack Licensees shall further ensure that horses be given regular rest periods while working.

13. Hack Operators and Hack Licensees shall ensure that horses are kept clean, especially those areas in contact with the harness or other tack.

14. Hack Operators and Hack Licensees shall ensure that pads and other pieces of tack are kept clean and in a safe and serviceable condition.

15. The Hack Operators shall take such further precautions as may be reasonably necessary to ensure the health and safety of the horse.

16. Hack Operators and Hack Licensees shall not allow a horse to be used in the hack operation when the horse is not in good health. The Hack Operators and Hack Licensees shall not allow the horse to be subject to any condition or treatment which will impair the good health and physical condition of the horse. Without restricting the generality of the foregoing, the following shall deem a horse unfit for use:

(a) lameness of any kind;

(b) open sores or wounds caused by, or likely to be irritated by, the bearing surfaces of harness, bridle or girths;

(c) signs of emaciation, dehydration or exhaustion; or

(d) loose shoes or shoes of a type not approved by the Town Engineer or Traffic Authority.

17. (a) The Traffic Authority or Council may require at anytime the Hack Operator or Hack Licensee, at his own expense, to have each horse examined by a veterinarian before the horse is used in service, if the horse is considered to be unfit. Satisfactory proof of health inspection by a veterinarian [and a certification by the veterinarian that the horse is healthy and able to return to work] shall be required for the horse to return to work.

(b) The Traffic Authority or Council may also engage a veterinarian, at the Hack Operator's or Hack Licensee's expense to assess a horse and if the veterinarian determines the horse unfit for work, may suspend the Hack License for such period as the Traffic Authority or Council deems appropriate.

C:\misc\town-hack.applica.wpd(jan14,2003)

# *TOWN OF LUNENBURG*

## *HACK OPERATOR LICENSE*

## *APPLICATION FORM AND RENEWAL*

License No. _____
(for office use only)

NAME: _____

ADDRESS: _____

PHONE: (work) _____ (home) _____

DATE OF BIRTH: _____

MOTOR VEHICLE DRIVERS LICENSE
MASTER NO. _____

I agree that:

A. I must maintain a current Motor Vehicle Drivers License;

B. I must operate strictly in accordance with the By-laws of the Town applicable thereto as amended from time to time and in accordance with all Federal and Provincial legislation and regulation. I shall not place or distribute pamphlets or other printed materials to solicit or advertise for business on Town property, shall not use hawkers or persons holding signs to solicit or advertise for business or place any fixed structure for the purpose of sale, solicitation or hawking, excepting a sign authorized by development permit and approved by the Town;

C. I shall not park or store horses or equipment on a public street or private property except to wait for, load or unload passengers in approved hack loading zones, unless a special occasion permit is issued by the Traffic Authority.

D. nothing herein shall prohibit the solicitation of business by a Hack Operator immediately alongside a hack in an approved hack loading zone, so long as such solicitation is not done in an offensive manner; and

E. I shall be assessed an annual fee to operate a hack in the Town. Such fee shall be set by resolution of Council from time to time.

Attached herewith are the fees proscribed by Council for a Hack License.

Attached hereto is a written copy of the tour route and Hack Operator commentary to be submitted to Council for approval prior to the issuance of the License.

I hereby make application for a Hack Operators License in accordance with the particulars as stated above and declare that the above statements are true and correct, and I undertake that if granted the License applied for, I will comply with each and every obligation contained in all Municipal, Provincial and Federal laws, regulations and by-laws now in force and amendments thereto in the Town of Lunenburg, Nova Scotia.

_____ _____

Date of Application Signature of Applicant

_____

License approved/Date: _____

_____

TRAFFIC AUTHORITY

License denied/Date:_____

_____

TRAFFIC AUTHORITY

Mail completed Application and applicable fee to:

Town of Lunenburg
P.O. Box 129
Lunenburg, Nova Scotia
B0J 2C0

OR

Deliver to:

Town Hall
119 Cumberland Street
Lunenburg, Nova Scotia
B0J 2C0

NOTE:

1. The Hack and Trolley By-law states:

   A. A Hack License shall be issued on a specific vehicle to a specific owner and for a specific horse (or horses where the hack owner intends to rotate horses). A Hack License is not transferrable. Hacks shall be authentically-styled passenger carriages of a style and type approved by Council by Resolution. Carriages must not exceed 12' in length measured from end to end and 6' in width excluding the steps and shafts, and measured from axle tip to axle tip.

   B. Failure to abide by the provisions of this By-law, any other Town By-laws, or the Motor Vehicle Act, R.S.N.S. 1989, Chapter 293 in any manner affecting or regulating the operation of the vehicle for which the Hack License is issued, shall be grounds for the suspension or cancellation of the Hack License at the discretion of either the Traffic Authority or the Council.

   C. The Council may determine by resolution a maximum number of hacks which shall be allowed to operate in the Town (and may, by Resolution, increase or decrease that number from time to time). If in any year after deducting the number of renewals of hack licenses as referred to in clause 4.(a) and 4.(e), there are a greater number of applications for hack licenses than the maximum number of hacks allowable (less the said renewals), the Council shall select a method of determining the successful applicants (including, without limiting the foregoing, tender or lottery).

   D. A Hack License may be renewed upon:

      (1) presentation of the vehicle for which renewal is sought prior to expiry of the license at the office of the Traffic Authority by appointment made at least two weeks in advance of expiry of the license; and

      (2) satisfactory proof of health inspection of the horse (or horses) within the previous 30 days, by a veterinarian and a certification by the veterinarian that the horse (or horses) is (or are) healthy and able to work in the hack business; and

      (3) payment of the annual license fee prescribed by Town Council

      provided that all of the requirements of this By-law for issuance of a Hack License continue to be met.

   E. A refusal to issue or renew or a revocation or suspension of the license by the Traffic Authority may be appealed to the Council within fourteen days of the decision of the Traffic Authority by written Notice of Appeal delivered to the Manager/Clerk of the Town, and the Council shall convene an appeal hearing and may, following the appeal hearing, make any decision which the Traffic Authority could have made in the first instance.

2. Council may approve hack loading zones where hacks may wait to load or unload passengers. A hack shall be assigned to a specific loading zone for the duration of the yearly license, provided that the loading zones may be relocated, enlarged or reduced in size by Council by Resolution from time to time and further provided that Council may, from time to time, relocate hacks to another assigned loading zone from time to time.

3. Hacks may operate only on such Town streets and routes as are approved by Council; provided that the hack may be operated on such other streets in the Town on a temporary basis, as may be authorized by the Traffic Authority or the Council from time to time; and further provided that if a Town Street is temporarily closed or obstructed (due to construction, motor vehicle accident, presence of fire fighting apparatus, parade or similar obstruction), the hack may be operated for a period not in excess of two days on such other streets in the Town of Lunenburg to detour around the obstruction without obtaining authorization from the Traffic Authority or the Council. Special occasion requests may also be made by

the hack owner to the Traffic Authority who may authorize the hack to operate on other streets in the Town for that special occasion as specifically listed in the Special Occasion Permit. The Traffic Authority or Council may restrict or vary the routes and streets upon which hacks may operate during special events in the Town of Lunenburg.

4. All Hack Operators shall observe all the provisions of the Motor Vehicle Act as are applicable to the operation of hacks. Without restricting the foregoing, all hacks shall display such lighting and reflector apparatus and any other equipment as may be required by the Motor Vehicle Act.

5. All Hack Operators shall be competent in accurately portraying the culture, history and architecture of the Town. The Hack Owner shall provide a written copy of the tour route and Hack Operator commentary to the Council for approval prior to the issuance of a Hack License and at such other times as requested by the Manager/Clerk of the Town. The Hack Operators shall use such approved commentary.

6. The Hack Operator shall ensure that all horse feces is promptly transported to the horse's stable (or such other location approved by Council from time to time) for proper disposal of same so as not to cause an offensive odour. Horse feces will not be deposited in Town garbage receptacles. The Hack Operator shall also take all necessary steps to prevent any nuisance including odour emanating from horse feces. All horse urine will be promptly dealt with by the Hack Operator by cleaning and sanitizing the affected public or private property so as not to cause an offensive odour.

7. While on duty, a Hack Operator shall:

   A. not permit or allow any person on the back of a horse under the said Operator's control;

   B. not leave a horse unattended except when confined to a stable or other enclosure or attached to a hitching post;

   C. ensure that the horse is always in the Operator's effective control;

   D. not permit a hack to be parked without first effectively setting any brake equipment thereon;

   E. upon request at any reasonable time without prior notice, make a horse or hack available for inspection by the Traffic Authority, any Town Police Officer, SPCA official, or any veterinarian;

   F. operate the hack so as not to unduly impede the flow of motor vehicle traffic on the Town streets.

8. The erection of any hitching post shall be at the sole expense of the Hack Owner and shall not be installed until the location and design is approved by the Town Engineer.

9. The Hacks may be operated only between sunrise and one hour after sunset provided that Council may, by resolution, from time to time, vary the hours and period of operation of Hacks.

10. A Hack Operator shall, at his own expense, keep routes, carriage stands and stationary horse feeding and watering locations clean, sanitary and free of horse feces, urine, litter, and other waste materials, which shall not be deposited in Town garbage receptacles.

11. All Hack Operators and Hack Licensees shall ensure that appropriate and sufficient food and fresh potable drinking water are available for each horse and that, while working, each horse is permitted to eat at reasonable intervals and have access to drinking water as necessary.

12. Hack Operators and Hack Licensees shall further ensure that horses be given regular rest periods while working.

13. Hack Operators and Hack Licensees shall ensure that horses are kept clean, especially those areas in contact with the harness or other tack.

14. Hack Operators and Hack Licensees shall ensure that pads and other pieces of tack are kept clean and in a safe and serviceable condition.

15. The Hack Operators shall take such further precautions as may be reasonably necessary to ensure the health and safety of the horse.

16. Hack Operators and Hack Licensees shall not allow a horse to be used in the hack operation when the horse is not in good health. The Hack Operators and Hack Licensees shall not allow the horse to be subject to any condition or treatment which will impair the good health and physical condition of the horse. Without restricting the generality of the foregoing, the following shall deem a horse unfit for use:

    (a) lameness of any kind;

    (b) open sores or wounds caused by, or likely to be irritated by, the bearing surfaces of harness, bridle or girths;

    (c) signs of emaciation, dehydration or exhaustion; or

    (d) loose shoes or shoes of a type not approved by the Town Engineer or Traffic Authority.

17. (a) The Traffic Authority or Council may require at anytime the Hack Operator or Hack Licensee, at his own expense, to have each horse examined by a veterinarian before the horse is used in service, if the horse is considered to be unfit. Satisfactory proof of health inspection by a veterinarian [and a certification by the veterinarian that the horse is healthy and able to return to work] shall be required for the horse to return to work.

    (b) The Traffic Authority or Council may also engage a veterinarian, at the Hack Operator's or Hack Licensee's expense to assess a horse and if the veterinarian determines the horse unfit for work, may suspend the Hack License for such period as the Traffic Authority or Council deems appropriate.

# CERTIFIED TOWN OF LUNENBURG HACK AND TROLLEY BY-LAW #56

DATE July 3/02

BEA RENTON,
TOWN MANAGER/CLERK

I, BEA RENTON, TOWN MANAGER/CLERK FOR THE TOWN OF LUNENBURG, DO CERTIFY THAT THE ATTACHED IS A TRUE AND CURRENT COPY OF HACK AND TROLLEY BY-LAW # 56. OF THE TOWN OF LUNENBURG DULY APPROVED BY THE LUNENBURG TOWN COUNCIL ON MAY 30, 2002, WITH FIRST READING HAVING BEEN GIVEN ON FEBRUARY 28, 2002, SECOND READING ON MARCH 28, 2002 AND THIRD AND FINAL READING ON MAY 30, 2002 AND EFFECTIVE ON JUNE 12, 2002 THE DATE OF ADVERTISEMENT IN THE PROGRESS ENTERPRISE NEWSPAPER.



# TOWN OF LUNENBURG BY- LAW #56

## HACK AND TROLLEY BY-LAW

This By-law shall be known as the "Hack and Trolley By-law".

1. Definitions:

   (a) "**Council**" means the Council of the Town of Lunenburg;

   (b) "**Hack"** means a horse-drawn vehicle used to transport passengers for compensation;

   (c) "**Public Address System**" includes phonographs, gramophones, radios, microphones and other devices or apparatus whether operated electrically, mechanically or in any other way whatsoever whether moveable or stationary, which reproduce, amplify, emit or transmit sounds which are capable of being heard on any street or public place or in any building;

   (d) "**Town**" means the Town of Lunenburg;

   (e) "**Traffic Authority**" means the Traffic Authority of the Town of Lunenburg; and

   (f) "**Trolley**" means a bus, van or other motorized vehicle designed to transport passengers, but does not include a taxi as defined in the Trade and Licenses By-Law of the Town. In this By-law, the term "Trolley" only applies to such vehicles used to transport passengers or conduct tours for compensation within the Town.

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## HACKS

2. No person shall operate or cause to be operated for hire any hack for the purpose of conducting tours or transporting passengers for compensation within the Town except hacks as provided in, and authorized pursuant to, this By-law.

## HACK OPERATOR LICENSE

3. (a) No person shall operate upon the streets of the Town any hack without first obtaining a Hack Operator License issued by the Town Traffic Authority upon application. Such License shall be for a period of one year and shall be renewable on April 1 in each year. A Hack Operator License and any renewal thereof shall contain the following provisions, which are material and go to the essence of the Hack Operator License:

(1) the Hack Operator shall maintain a current Motor Vehicle Drivers License;

(2) the Hack Operator shall agree to operate strictly in accordance with the By-laws of the Town applicable thereto as amended from time to time and in accordance with all Federal and Provincial legislation and regulations. The Hack Operator shall not place or distribute pamphlets or other printed materials to solicit or advertise for business on Town property, shall not use hawkers or persons holding signs to solicit or advertise for business or place any fixed structure for the purpose of sale, solicitation or hawking, excepting a sign authorized by development permit and approved by the Town;

(3) the Hack Operator shall not park or store horses or equipment on a public street or private property except to wait for, load or unload passengers in approved hack loading zones, unless a special occasion permit is issued by the Traffic Authority.

(4) nothing herein shall prohibit the solicitation of business by the Hack Operator immediately alongside a hack in an approved hack loading zone, so long as such solicitation is not done in an offensive manner; and

(5) each Hack Operator shall be assessed an annual fee to operate a hack in the Town. Such fee shall be set by resolution of Council from time to time.

(b) The location, size and conditions related to hack loading zones shall be approved by the Traffic Authority.

(c) Hack Operator Licenses are not transferable.

(d) Failure to abide by the provisions of this By-law or of any other Town By-laws or any provisions of the Motor Vehicle Act, R.S.N.S, 1989, Chapter 293, in any manner affecting or regulating the operation of a hack, shall be grounds for the suspension or cancellation of the Hack Operator License at the discretion of the Traffic Authority (but there shall be a right of appeal to Council).

(e) Hack Operator Licenses shall not be exclusive and the Traffic Authority may issue other such Hack Operator Licenses, but the Council may also limit the number of Hack Operators Licenses to be issued by the Traffic Authority.

(f) A Hack Operator License may be renewed upon payment of the annual license fee prescribed by Town Council provided that all of the requirements of this By-law for issuance of an Operator's License continue to be met.

(g) A refusal to issue or renew or a revocation or suspension of the license by

the Traffic Authority may be appealed to the Council within fourteen days of the decision of the Traffic Authority by written Notice of Appeal delivered to the Manager/Clerk of the Town, and the Council shall convene an appeal hearing and may, following the appeal hearing, make any decision which the Traffic Authority could have made in the first instance.

**HACK LICENSE**

4. (a)No hack shall operate without a Hack License duly issued by the Traffic Authority upon application by the hack owner. Such License shall be for a period of one year and shall be renewable on April 1 in each year. A Hack License and any renewal thereof shall contain the following provisions, which are material and go to the essence of the Hack License:

(1) adequate identification of the applicant and hack and proof of ownership;

(2) material setting forth the characteristics of the vehicle, including the dimensions, weight, passenger capacity;

(3) a colour photograph of the carriage;

(4) adequate proof of liability insurance in an amount to be determined by Council by Resolution from time to time covering the Licensee and also the Town as an additional named insured;

(5) satisfactory proof of health inspection by a veterinarian of the horse or horses to be used in drawing the vehicle and identification of the stables where such horse is to be housed;

(6) evidence of satisfactory annual safety inspection and appearance inspection of tack and equipment; and

(7) payment of fees as set by policy established by resolution of Council from time to time.

(b) A Hack License shall be issued on a specific vehicle to a specific owner and for a specific horse (or horses where the hack owner intends to rotate horses). A Hack License is not transferrable. Hacks shall be authentically-styled passenger carriages of a style and type approved by Council by Resolution. Carriages must not exceed 12' in length measured from end to end and 6' in width excluding the steps and shafts, and measured from axle tip to axle tip.

(c) Failure to abide by the provisions of this By-law, any other Town By-laws, or the Motor Vehicle Act, R.S.N.S. 1989, Chapter 293 in any manner affecting or regulating the operation of the vehicle for which the Hack License is issued, shall be grounds for the suspension or cancellation of the Hack License at the discretion of either the Traffic Authority or the Council.

(d) The Council may determine by resolution a maximum number of hacks which shall be allowed to operate in the Town (and may, by Resolution, increase or decrease that number from time to time). If in any year after deducting the number of renewals of hack licenses as referred to in clause 4.(a) and 4.(e), there are a greater number of applications for hack licenses than the maximum number of hacks allowable (less the said renewals), the Council shall select a method of determining the successful applicants (including, without limiting the foregoing, tender or lottery).

(e) A Hack License may be renewed upon:

(1) presentation of the vehicle for which renewal is sought prior to expiry of the license at the office of the Traffic Authority by appointment made at least two weeks in advance of expiry of the license; and

(2) satisfactory proof of health inspection of the horse (or horses) within the previous 30 days, by a veterinarian and a certification by the veterinarian that the horse (or horses) is (or are) healthy and able to work in the hack business; and

(3) payment of the annual license fee prescribed by Town Council

provided that all of the requirements of this By-law for issuance of a Hack License continue to be met.

(f) A refusal to issue or renew or a revocation or suspension of the license by the Traffic Authority may be appealed to the Council within fourteen days of the decision of the Traffic Authority by written Notice of Appeal delivered to the Manager/Clerk of the Town, and the Council shall convene an appeal hearing and may, following the appeal hearing, make any decision which the

Traffic Authority could have made in the first instance.

**HACK LOADING ZONES**

5. Council may approve hack loading zones where hacks may wait to load or unload passengers. A hack shall be assigned to a specific loading zone for the duration of the yearly license, provided that the loading zones may be relocated, enlarged or reduced in size by Council by Resolution from time to time and further provided that Council may, from time to time, relocate hacks to another assigned loading zone from time to time.

**REQUIREMENTS FOR OPERATING HACKS**

6. Hacks may operate only on such Town streets and routes as are approved by Council; **provided that** the hack may be operated on such other streets in the Town on a temporary basis, as may be authorized by the Traffic Authority or the Council from time to time; **and further provided that** if a Town Street is temporarily closed or obstructed (due to construction, motor vehicle accident, presence of fire fighting apparatus, parade or similar obstruction), the hack may be operated for a period not in excess of two days on such other streets in the Town of Lunenburg to detour around the obstruction without obtaining authorization from the Traffic Authority or the Council. Special occasion requests may also be made by the hack owner to the Traffic Authority who may authorize the hack to operate on other streets in the Town for that special occasion as specifically listed in the Special Occasion Permit. The Traffic Authority or Council may restrict or vary the routes and streets upon which hacks may operate during special events in the Town of Lunenburg.

7. All Hack Operators shall observe all the provisions of the Motor Vehicle Act as are applicable to the operation of hacks. Without restricting the foregoing, all hacks shall display such lighting and reflector apparatus and any other equipment as may be required by the Motor Vehicle Act.

8. All Hack Operators shall be competent in accurately portraying the culture, history and architecture of the Town. The Hack Owner shall provide a written copy of the tour route and Hack Operator commentary to the Council for approval prior to the

issuance of a Hack License and at such other times as requested by the Manager/Clerk of the Town. The Hack Operators shall use such approved commentary.

9. The Hack Operator shall ensure that all horse feces is promptly transported to the horse's stable (or such other location approved by Council from time to time) for proper disposal of same so as not to cause an offensive odour. Horse feces will not be deposited in Town garbage receptacles. The Hack Operator shall also take all necessary steps to prevent any nuisance including odour emanating from horse feces. All horse urine will be promptly dealt with by the Hack Operator by cleaning and sanitizing the affected public or private property so as not to cause an offensive odour.

10. While on duty, a Hack Operator shall:

(a) not permit or allow any person on the back of a horse under the said Operator's control;

(b) not leave a horse unattended except when confined to a stable or other enclosure or attached to a hitching post;

(c) ensure that the horse is always in the Operator's effective control;

(d) not permit a hack to be parked without first effectively setting any brake equipment thereon;

(e) upon request at any reasonable time without prior notice, make a horse or hack available for inspection by the Traffic Authority, any Town Police Officer, SPCA official, or any veterinarian;

(f) operate the hack so as not to unduly impede the flow of motor vehicle traffic on the Town streets.

11. The erection of any hitching post shall be at the sole expense of the Hack Owner and shall not be installed until the location and design is approved by the Town Engineer.

12. The Hacks may be operated only between sunrise and one hour after sunset provided that Council may, by resolution, from time to time, vary the hours and period of operation of Hacks.

13. A Hack Operator shall, at his own expense, keep routes, carriage stands and stationary horse feeding and watering locations clean, sanitary and free of horse feces, urine, litter, and other waste materials, which shall not be deposited in Town garbage receptacles.

**CARE OF ANIMALS**

14. All Hack Operators and Hack Licensees shall ensure that appropriate and sufficient food and fresh potable drinking water are available for each horse and that, while working, each horse is permitted to eat at reasonable intervals and have access to drinking water as necessary.

15. Hack Operators and Hack Licensees shall further ensure that horses be given regular rest periods while working.

16. Hack Operators and Hack Licensees shall ensure that horses are kept clean, especially those areas in contact with the harness or other tack.

17. Hack Operators and Hack Licensees shall ensure that pads and other pieces of tack are kept clean and in a safe and serviceable condition.

18. The Hack Operators shall take such further precautions as may be reasonably necessary to ensure the health and safety of the horse.

19. Hack Operators and Hack Licensees shall not allow a horse to be used in the hack operation when the horse is not in good health. The Hack Operators and Hack Licensees shall not allow the horse to be subject to any condition or treatment which will impair the good health and physical condition of the horse. Without restricting the generality of the foregoing, the following shall deem a horse unfit for use:

    (a) lameness of any kind;

    (b) open sores or wounds caused by, or likely to be irritated by, the bearing surfaces of harness, bridle or girths;

    (c) signs of emaciation, dehydration or exhaustion; or

(d) loose shoes or shoes of a type not approved by the Town Engineer or Traffic Authority.

20. (a) The Traffic Authority or Council may require at anytime the Hack Operator or Hack Licensee, at his own expense, to have each horse examined by a veterinarian before the horse is used in service, if the horse is considered to be unfit. Satisfactory proof of health inspection by a veterinarian [and a certification by the veterinarian that the horse is healthy and able to return to work] shall be required for the horse to return to work.

(b) The Traffic Authority or Council may also engage a veterinarian, at the Hack Operator's or Hack Licensee's expense to assess a horse and if the veterinarian determines the horse unfit for work, may suspend the Hack License for such period as the Traffic Authority or Council deems appropriate.

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## TROLLEYS

21. No person shall operate or cause to be operated for hire any motor vehicle (of whatever nature) or human-powered means of transportation of whatever nature, (including, but not limited to, rickshaws and bicycle drawn carriages) for the purpose of conducting tours or transporting persons within the Town, except trolleys as provided and authorized pursuant to this By-law. This By-law shall not affect or in any way apply to taxis as referred to in the Trade and Licenses By-law (or Taxi By-law) of the Town or buses transporting passengers from a pick-up and drop-off location outside of Town.

**TROLLEY LICENSE**

22.(a)No person shall operate or cause to be operated upon the streets of the Town of

Lunenburg any trolley without first obtaining a Trolley License from the Council. Such License shall be for a period of one year and may be renewed on April 1 in each year. A Trolley License and any renewal thereof shall contain the following provisions, which provisions are material and go to the essence of the Trolley License:

(1) the Licensee shall agree to operate its business strictly in accordance with the By-laws of the Town applicable thereto as amended from time to time;

(2) the Licensee shall not place or distribute pamphlets or other printed materials to solicit or advertise for business on Town property or in violation of Provincial or Federal legislation or regulations, and shall not use hawkers or persons holding signs to solicit or advertise for business or place any fixed structure for the purpose of sale, solicitation or hawking, excepting a sign authorized by Development Permit and approved by the Council;

(3) the Trolley Licensee shall not park or store a bus or equipment on a public street (or allow a bus or equipment to be parked or stored on a public street) except to wait for, load or unload passengers in trolley loading zones approved by resolution of Council from time to time;

(4) nothing herein shall prohibit the solicitation by the Trolley Licensee of business immediately alongside a trolley in a Council-approved trolley loading zone, so long as such solicitation is not done in an offensive manner;

(5) all trolley drivers shall be competent in portraying the culture, history and architecture of the Town and shall provide to the Council a written copy of their tour route and commentary for approval prior to the issuance of a Trolley License; and

(6) any public address system utilized in a trolley shall not be operated in such a manner so that the sounds transmitted shall be projected beyond a distance of 15 feet from the trolley. Any public address system utilized in a trolley shall also not be operated in violation of any of the Town's By-laws, or any Federal or Provincial legislation or regulations.

(7) the Licensee shall agree that upon violation of the provisions of the License this By-law or any of the other By-laws of the Town of Lunenburg and any provisions of the Motor Vehicle Act R.S.N.S. 1989, Chapter 293 or the Motor Carrier Act R.S.NS. 1989, Chapter 292, the Council or traffic authority, in its or his discretion, may suspend or cancel the License.

(b) Trolley Licenses are not transferable.

(c) Failure to abide by the provisions of this By-law, the Motor Vehicle Act, R.S.N.S. 1989, c. 293, the Motor Carrier Act, R.S.N.S., 1989, c. 292, or any other Federal or Provincial legislation or regulations in any manner affecting or regulating the operation of the trolley for which the Trolley License is issued, shall be grounds for the suspension or cancellation of the Trolley License at the discretion of the Council or Traffic Authority.

(d) Trolley Licenses shall not be exclusive and the Council may grant other licenses. The Council may determine by Resolution a maximum number of trolleys which shall be allowed to operate in the Town (and may, by Resolution, increase or decrease that number from time to time). If in any year after deducting the number of renewals of Trolley Licenses as referred to in clause 22(a) there are a greater number of applications for Trolley Licenses than the maximum number of licenses allowable (less the said renewals), the Council shall select a method of determining the successful applicants, including without limiting the foregoing, tender or lottery.

23. The Licensee shall not operate the trolley within the Town of Lunenburg except during the hours authorized in the conditions of Trolley License issued by the Town. The Town Council is authorized to impose conditions on the issuance of any Trolley licenses in the Town.

24. The trolley shall only display such signage as may be approved by the Town.

25. Trolleys may operate only on such Town streets and routes as are approved by Council.

26. The Licensee, the trolley and the driver thereof shall comply with all of the applicable provisions of the Motor Carrier Act, R.S.N.S. 1989, Chapter 292 and the Motor Vehicle Act R.S.NS. 1989, Chapter 293.

27. This By-law shall not affect or in any way apply to buses transporting passengers where there may be a pick up or drop off location inside the Town but the purpose of the operation is not solely to conduct tours within the Town or transport persons within the Town.

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**OFFENCE**

28. Any person who contravenes any provision of this By-law (including, without limiting the foregoing, any provision contained in a License issued pursuant to this By-law) is punishable on summary conviction by a fine of not less than $100.00 and not more than $1,000.00.

(b) For all purposes of this By-law, an Encroachment License shall constitute a license and a permit as referred to in Section 49(1)(d) of the Municipal Government Act which addresses the delegation of authority.

(c) W hen addressing the restoration of a pre-existing encroachment, the Heritage Officer, Development Officer and Engineer may use such evidence as they deem appropriate to determine the existence of, dimensions and details of any such encroachment.

(d) No Encroachment License shall be issued until the owner has executed and delivered to the Town an Indemnity in the form attached as part of Schedule "A" with such modifications in form as may be deemed appropriate by the Heritage Officer, Development Officer and Engineer in each case, or in such other form as may be adopted by Council by Resolution from time to time.

5. Notwithstanding anything in this By-law, no Encroachment License shall be issued except upon an approved Application pursuant to the provisions of this By-law, and the latitude provided in Sections 2.1(d) and 2.1(e) and 2.1(f) and 2.11 apply only in relation to an Application for the issuance of an Encroachment License.

2.3 The fees to be paid for an Encroachment License shall be an application fee of $100.00 (HST included) or as determined by Council by Policy from time to time to help offset Town staff time reviewing and processing the Encroachment License. If the Town must incur legal fees to prepare, review, etc. an Encroachment License renewal or assignment the Town shall provide a maximum $500. legal fee credit or $1,000. legal fee credit for the preparation of a new Encroachment License, the balance of which shall be paid by the Encroachment Licensee prior to the Encroachment License being executed by the Town. The amount of the legal fee credit shall be annually indexed effective January 2020 by the prior year's calendar consumer price index for Nova Scotia.

2.4 Every Application for an Encroachment License shall:

(a) unless waived by the Heritage Officer, Development Officer and Engineer, be based upon a Plan of Survey showing the location of any sidewalk and the roadway or paved portion of the street, if applicable, as well as the street line, together with any features within five (5) feet of the street line, and the proposed boundary of the encroachment;

# CERTIFIED AMENDMENT TO THE TOWN OF LUNENBURG

## BY-LAW NO. #65

## A BY-LAW RESPECTING STREET ENCROACHMENT FOR BUILDING ACCESS BY-LAW

The Street Encroachment for Building Access By-Law is amended by adding after Section 2.12 thereof the following Section:

2.13 Notwithstanding the other provisions of this by-law, an encroachment licence for a purpose not related to building access that was in force on or before March 1, 2012 and is listed in Schedule "C" to this by-law

(a) remains in force until it expires according to its terms;

(b) may be transferred to a subsequent owner of the property in accordance with the provisions of Section 3.0 of this by-law; and

(c) may be reissued in accordance with the provisions of Sections 2.2, 2.3, 2.4, 2.7, 2.8 and 2.9.

June 7, 2014
Date

Bea Renton,
Town Manager/Clerk

I, Bea Renton, Town Manager/Clerk for the Town of Lunenburg, do certify that the foregoing is a true and current copy of an amendment to By-law #65 of the Town of Lunenburg passed by the Lunenburg Town Council on May 13, 2014, with first reading having been given on April 8, 2014 second and final reading on May 13, 2014 with an effective date of June 6, 2014 when published in the Progress Bulletin newspaper.

# SCHEDULE "C"

| ENCROACHMENTS Fee = $1.00 + HST | | | |
|---|---|---|---|
| **CIVIC ADDRESS (In Alpha Street Order)** | **ASSESSMENT ACCOUNT #** | **PROPERTY OWNER** | **DESCRIPTION** |
| A | | | |
| | | | |
| 38 Archibald Street | 02317281.01 | Jeff & Chelly Schembera | Front Steps |
| | | | |
| B | | | |
| | | | |
| 30-36 Broad Street | 04182529.01 | William & Graham Gerhardt | Front Steps |
| 40 Broad Street | 03665151.01 | Harrington, Julie | Front Steps, Wall |
| | | | |
| C | | | |
| | | | |
| 25-27 Cornwallis Street | 00018899.01 | Christine Cooper/Dan Prokaziuk | Front Steps |
| 74 Cornwallis Street | 03586936.01 | Albert & Josephine Skinner | Front Garden |
| 94 Cornwallis Street | 02515059.01 | Christina Anglea Lewis | Front Steps |
| 188 Cumberland Street | 03850935.01 | Sarah Jane & Martin Walton | Front Steps |
| 201 Cumberland Street | 04809416.01 | Martin & Jerry Kennedy | Front Steps |
| 225 Cumberland Street | 04348524.01 | Vivian Markovich | Retaining Wall/Fence |
| | | | |
| F | | | |
| | | | |
| 159 Fox Street | 03966151.01 | Kerry & Tina Risser | Front Steps |
| | | | |
| H | | | |
| | | | |
| 14 High Street | 01507826.22 | SS Health District Health | Bldg/Landscaping |
| 58 Hopson Street | 02081717.01 | **Andrew & Lynn Johnson** | Steps/Landscaping |
| | | | |
| K | | | |

| | | | |
|---|---|---|---|
| 11 King Street | 04528085.02 | **Susan & Guenther Reibling** | Front Steps |
| 54 King Street | 04526295.01 | Nancy Wilson & Rick Wilcosh | Front Entrance/Railing |
| | | | |
| L | | | |
| | | | |
| 39 Lawrence Street | 03074153.01 | Madelyn LeMay | Front Entrance Steps |
| 58 Lawrence Street | 04918509.01 | Katja & Jason Remai | Front Steps |
| 19 Linden Avenue | 00183822.01 | Barbara & Gilbert Baker | Ramp |
| 6 Lorne Street | 00666181.01 | Nick & Diane Goeb | Steps/Light/Parking |
| | | | |
| M | | | |
| | | | |
| 95 Montague Street | 05034132.01 | Daniel Richards | Front Steps/Bay Window |
| 118-120 Montague Street | 01963732.02 | Alan Creaser, Brigantine | Wooden Walkway |
| 152 Montague Street | 01134507.01 | Jurgen Ziegler | 1st/2nd Storey Addition |
| 175 Montague Street | 00022934.01 | **Raymond & Patricia Price** | Steps |
| 220 Montague Street | 00938416.02 | Carol Sifton & Alasdair Munroe | Parking & Garden |
| 250 Montague Street | 10092558.02 | **Clearwater Seafoods Ltd.** | Portion of Building |
| | | | |
| P | | | |
| | | | |
| 137 Pelham Street | 02544873.01 | Margo Cooper | Front Steps |
| 185 Pelham Street | 02540762.01 | Zita Haines & Daniel Dares | Front Stairs |
| 9 Prince Street | 00179442.01 | Richard Weston | Front Stairs/Railing |
| | | | |
| S | | | |
| 21 Sandy Hollow Road | 02590476.01 | Jeanette Greek & K. Baker | Retaining Wall |
| | | | |
| T | | | |
| | | | |
| 49 Townsend Street | 00016403.01 | Christopher Graham | Unsigned - double sided front stairway |
| 55 Townsend Street | 02679558.01 | Jodee & Townsend Anderson | Steps/Garden/Wall |
| 81 Townsend Street | 00021954.01 | Barry & Barbara Olivela | Unsigned - retaining wall and front stairs |

| | | | |
|---|---|---|---|
| 105 Townsend Street | 04660129.01 | Peter McKenna & Rhonda Fraser | Front Garden |
| 111 Townsend Street | 04683447.22 | **St. Andrews Pres. Church** | Stairway/Railing |
| 129 Townsend Street | 02129868.01 | Peter Jackson | Garden/Front Steps |
| 133 Townsend Street | 04183576.01 | Nancy Lohnes | Fronts Steps/Deck |
| 203 Townsend Street | 00920681.01 | Andrew Aagaard | Front Stairway |
| | | | |
| Y | | | |
| | | | |
| 201 York Street | 01794493.01 | Robin Crickmer | Steps |

# Town of Lunenburg

# Street Encroachment For Building Access By-Law

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**PART 1**

## Title, Subject Matter, Local Act and Definitions

### Title

1.0 This By-Law is entitled the "Town of Lunenburg Street Encroachment For Building Access By-law".

### Subject Matter

1.1 This By-Law applies only to streets owned by the Town of Lunenburg.

### Local Act

1.2 This By-law shall be subject to the provisions of Chapter 107 of the Statutes of Nova Scotia, 1899 entitled "An Act Respecting the Streets of the Town of Lunenburg".

### Purpose

1.3 Whereas:

(a) Pursuant to S. 308(2) of the *Municipal Government Act* SNS 1998, c. 18 as amended, all streets are vested absolutely in the Town and the Town has full control over the streets "insofar as is consistent with their use by the public";

(b) S. 314(2) of the *Municipal Government Act* provides that a council may, by by-law, regulate encroachments upon, under or over streets, including stipulating the period of time an encroachment may remain and the entering into of agreements, including terms and conditions, for particular encroachments; and

(c) The Town is enacting this by-law to authorize the municipality to enter into a License agreement with abutting property owners in relation to encroachments upon a street which are not part of the main building on property abutting the street, but which provide access to the building.

### Definitions

1.4 In this By-law:

(a) "abutter" means the owner of any premises or lot in the Town of Lunenburg which abuts a Town of Lunenburg street (and where the premises or lot has been registered as a condominium under the *Condominium Property Act* includes the condominium corporation which manages the premises or lot);

(b) "building" means a roofed structure, whether permanent or temporary, used or capable of being used for the shelter or accommodation of persons, animals, materials or equipment and includes all additions, porches, verandahs, decks and trim attached thereto. Without limiting the foregoing, a building includes any projections such as a bay window as well as foundation walls and external stairs utilized as access to the building;

(c) "Building Code" means the Building Code adopted pursuant to either or both of the Building Code Act, RSNS 1989, c. 46 and the Nova Scotia Building Code Regulations;

(d) "Council" means the Council of the Town of Lunenburg;

(e) "Development Officer" means the Town of Lunenburg Development Officer appointed to administer the Land Use By-Law and includes a person acting under the supervision and direction of the Development Officer;

(f) "Engineer" means the Town of Lunenburg Engineer and includes a person acting under the supervision and direction of the Engineer;

(g) "Encroachment" means an encroachment upon a public street which includes any structure on, over or under a public street;

(h) "Heritage Officer" means the person appointed to administer the Heritage Conservation District By-Law and includes a person acting under the supervision and direction of the Heritage Officer;

(i) "License" means an Encroachment License issued pursuant to the terms of this By-Law;

(j) "location certificate" means a graphic illustration showing the boundaries of the property in question, and the location of buildings and other elements of use thereon, which is prepared and certified by a Nova Scotia Land Surveyor;

(k) "Lunenburg bump" means either a large extended dormer or a combination of extended dormer and entrance porch;

(l) "Manager/Clerk" means the Manager/Clerk of the Town of Lunenburg and includes the Deputy Manager/Clerk;

(m) "Municipal Government Act" means the Municipal Government Act, S.N.S. 1998, c. 18 as amended from time to time;

(n) "Plan of Survey" means a survey plan prepared and certified by a Nova Scotia Land Surveyor;

(o) "repair" means to put back into good condition after wear, decay or damage. Repair does not mean to replace or restore;

(p) "replace" means the removal of essentially the entire thing, and reconstruction of the thing, involving placement of new structural members (whether in the same pattern, size, shape or materials or not);

(p) "restore" and "restoration" mean to produce a structure which is the same or substantially the same as that which previously existed (whether or not a structure exists in that location at the date of application for a License);

(q) "roadway" means that portion of a Town of Lunenburg street between the curb lines, or the traveled portion of a street designed for vehicular traffic and, except where the context indicates otherwise, includes a crosswalk;

(r) "sidewalk" means that portion of a Town of Lunenburg street between the curb line and adjacent property line, or any part of the street especially set aside for pedestrian travel and separated from the roadway;

(s) "stairs" unless the content otherwise dictates, shall include any landing associated therewith;

(t) "street" means a Town of Lunenburg street, highway, road, roadway, lane, sidewalk, thoroughfare, bridge, square and the curbs, gutters, culverts and retaining walls in connection therewith and, without restricting the generality of the foregoing, includes the full right-of-way width. For clarity, "street" also includes an undeveloped declared street, such as Prince Street between Cumberland Street and Lincoln Street, as well as Duke Street between Montague Street and Bluenose Drive;

(u) "structure" includes anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure. Without restricting the foregoing, a structure shall include buildings, walls, fences, porches, landings, ramps, stairs, satellite dishes, antennae, and any awning attached to a structure. For the purposes of this By-law, the term "structure" shall not include signs;

(v) "Town" means the Town of Lunenburg;

## PART 2

## General Provisions Concerning Street Encroachments

### Types of Permitted Encroachments:

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2.1 (a) **Existing stairs and ramps - (no change)**
This By-law authorizes an Encroachment License for a street encroachment by ramps and stairs which provide access to a building, and any railings or hand guards associated therewith, existing as of March 1, 2012.

(b) **Existing or pre-existing stairs and ramps (work being conducted)**
An Encroachment License may also be issued if one is repairing, replacing, or restoring stairs or ramps existing as of March 1, 2012 (or which previously existed) and which provide access to a building where there is (or was) an encroachment upon a street. The encroachment must comply with any applicable criteria under the Heritage Conservation District By-law, the Architectural Control Provisions in the Land-Use By-law, and the Heritage Property Act.

(c) **Existing or pre-existing porch, verandah or Lunenburg bump**
An Encroachment License may be issued for a porch or verandah or Lunenburg bump where the porch, verandah or Lunenburg bump provides access to a building and it is an existing encroachment on the street as of March 1, 2012 or previously existed as an encroachment on the street.

(d) A landing may only be added to stairs where no landing previously existed, if the Building Code so requires.

(e) **Limitation on encroachment**
Subject to Section 2.11 (Minor Increases) and Section 2.1 (f) (Allowable increase) and Section 5.0, (Appeal) although the design of the stairs, landing, ramp, porch, verandah or Lunenburg bump may be different than that which previously existed, in no case shall the encroachment increase in size or projection into the street beyond the present or previously existing encroachment.

(f) **Allowable increase**
In addition to Section 2.11 (Minor increases), an encroachment for a ramp, verandah, Lunenburg bump, porch or stairs and any landing associated therewith:

(i) may be increased in width to accommodate a different configuration but only to the extent of the minimum requirements under the Building Code and, except as provided in Section 2.1 (f)(ii), the encroachment shall not project further into the street; and

(b) may project further into the street right-of-way, but only to the extent of the minimum requirements under the Building Code; and

(c) may be increased in height.

(g) **Only as access to floor closest to street level**
There shall be no Encroachment License issued for stairs, porches, verandahs or Lunenburg bumps or ramps providing access to any floor other than the floor closest to street level of the facade on which the encroachment is located, where no such encroachment existed prior to March 1, 2012.

(h) **Existing doorway**
Subject to Section 2.1 (i) an Encroachment License may only be issued for stairs, landings, ramps, porches, verandahs or Lunenburg bumps leading to or including a doorway on a street facade where the doorway existed as of March 1, 2012.

(i) **Stairs to access new doorway**
Notwithstanding Section 2.1 (h), if a new doorway is being constructed in the street facade to access the floor closest to street level, an Encroachment License may be issued for stairs, (but not a porch, verandah, Lunenburg bump or ramp) encroaching upon a street right-of-way where:

(i) a new doorway can be approved under any applicable provisions of the Heritage Conservation District By-law, the Architectural Control Provisions in the Land-Use By-law, and the Heritage Property Act and the encroachment is no larger than is required to meet the applicable Building Code; and

(ii) there is at least one other stair encroachment on the same side of the street in the block on which the building is located; and

(iii) notwithstanding Section 2.1(f) and Section 2.11 of this By-law, the encroachment projects no further into the street right-of-way than any other stair encroachment on the same side of the street in the block on which the building is located; and

(iv) in the opinion of the Town Engineer, the encroachment will not materially affect pedestrian traffic on the street right-of-way or snow plowing operations.

This subsection is subject to any restrictions contained in the Heritage Conservation District By-law of the Town of Lunenburg.

(j) **Limitation on new ramps**
Notwithstanding the foregoing, new ramps which encroach on the street and are not a restoration or replacement of a previously existing ramp, may only be installed at the discretion of the Heritage Officer, Development Officer and Engineer in exceptional circumstances where it is medically necessary for the occupant of the building and where it is clearly intended as a temporary access for the occupant. The Encroachment License may be issued by the Heritage Officer, Development Officer and Town Engineer for a period up to ten years.

(k) **Unbuilt street rights-of-way**
Notwithstanding anything contained in this By-law, this By-law is subject to the provisions of Section 5.2.2 of the Heritage Conservation District By-law which states:

> "**5.2.2 Structures prohibited in unbuilt street rights-of-way.** It shall be the intention of Council that no structures shall be built within unbuilt street rights-of-way in the heritage conservation district, except for historical markers, public monuments, interpretive signage displays, street furniture, and other pedestrian amenities."

which relates to unbuilt street rights-of-way (as opposed to unbuilt portions of street rights-of-way where streets have been constructed).

(l) Notwithstanding anything contained in this By-Law, this By-Law does not authorize the issuance of an Encroachment License for access by a motor vehicle to a building.

2.2 (a) Upon application to the Development Officer, and subject to any other applicable provisions in this By-law, an Encroachment License may be issued for street encroachments referred to in, and authorized under, this By-law under the joint signatures of the Heritage Officer, Development Officer and Engineer. Any of the Heritage Officer, Development Officer and Engineer may require the Applicant to provide sufficient information to assess the Application, including without limiting the foregoing, surveys and photographs.

(b) For all purposes of this By-law, an Encroachment License shall constitute a license and a permit as referred to in Section 49(1)(d) of the Municipal Government Act which addresses the delegation of authority.

(c) When addressing the restoration of a pre-existing encroachment, the Heritage Officer, Development Officer and Engineer may use such evidence as they deem appropriate to determine the existence of, dimensions and details of any such encroachment.

(d) No Encroachment License shall be issued until the owner has executed and delivered to the Town an Indemnity in the form attached as part of Schedule "A" with such modifications in form as may be deemed appropriate by the Heritage Officer, Development Officer and Engineer in each case, or in such other form as may be adopted by Council by Resolution from time to time.

(e) Notwithstanding anything in this By-law, no Encroachment License shall be issued except upon an approved Application pursuant to the provisions of this By-law, and the latitude provided in Sections 2.1(d) and 2.1(e) and 2.1(f) and 2.11 apply only in relation to an Application for the issuance of an Encroachment License.

2.3 The fees to be paid for an Encroachment License shall be an application fee of $100.00 (HST included) or as determined by Council by Policy from time to time.

2.4 Every Application for an Encroachment License shall:

(a) unless waived by the Heritage Officer, Development Officer and Engineer, be based upon a Plan of Survey showing the location of any sidewalk and the roadway or paved portion of the street, if applicable, as well as the street line, together with any features within five (5) feet of the street line, and the proposed boundary of the encroachment;

(b) include the street name, civic number, Parcel Identification Number (PID) and graphically illustrate the location of the proposed encroachment with dimensions, location of abutters, and all relevant features, such as outbuildings, trees, walkways, walls, fences and gardens; and

(c) such other information as in the opinion of the Heritage Officer, Development Officer or Engineer is reasonably necessary to assess the application.

2.5 (a) Subject to any more stringent provisions in this By-law, in determining whether an Encroachment License should be issued, the Heritage Officer, Development Officer and Engineer shall consider all relevant factors including, without limiting the foregoing, size, proportion, design, the use

of the street (including, without limiting the foregoing, the use of any sidewalk), the requirements of the provisions of the Building By-law, the requirements of the provisions of the Heritage Property Act, and the provisions of the Heritage Conservation District By-law or Architectural Control provisions under the Land Use By-law, where applicable.

(b) Notwithstanding the foregoing, (but subject to an appeal to Council pursuant to the provisions of this By-law) no Encroachment License shall be granted if in the opinion of the Engineer, the encroachment applied for is detrimental to the public use of the street.

2.6 Any person granting a License pursuant to this Part shall endeavour to minimize the impact of the encroachment on the public street and the use thereof.

2.7 Subject to section 3.1 hereof, an Encroachment License shall be for a period not exceeding ten years. There shall be no right of renewal, although the abutter may make a new application for an Encroachment License.

2.8 The Encroachment License shall be in the form attached hereto as Schedule "A" with such modifications in form as may be deemed appropriate by the Heritage Officer, Development Officer and Town Engineer in each case, or in such other form as may be adopted by Council by Resolution from time to time.

2.9 Every Encroachment License authorized pursuant to this By-law shall indicate:

(a) the type and dimensions of encroachment authorized;

(b) the owner, civic address and Property Identification Number (PID) for which such encroachment is authorized;

(c) the length of time for which such encroachment is authorized, termination date, and such terms and conditions as may attach to the License; and

(d) any other information, restrictions or conditions deemed relevant by the issuing authority.

2.10 Notwithstanding section 314 of the Municipal Government Act, S.N.S. 1998 c. 18, and for greater certainty, Encroachment Licenses shall **not** be granted for encroachment of structures built in error on the street unless the abutter makes application for an Encroachment License and such License is authorized and issued following construction in accordance with the provisions of this By-law. For such encroachments of structures related to access to a building (which is the subject matter of this By-Law), and which are built in error and cannot qualify for an Encroachment License pursuant to this By-Law, the Town Engineer may at his discretion, issue a Comfort Letter as referred to under Section 2.12 of this By-Law.

2.11 **Minor Increases:**

Notwithstanding any other provisions of this By-law, in any application for an Encroachment License, there may be minor increases in the encroachment not exceeding 10% in any dimension and not exceeding 10% in total area, where:

EITHER

(a) there is an existing encroachment which is being replaced or restored, or

(b) where there is a restoration of a pre-existing encroachment,

AND EITHER

(i) the requirements of the Building Code cannot reasonably be met in any other fashion without significant expense or significant alteration, or

(ii) it would otherwise not be consistent with the Heritage Conservation District By-law or Architectural Control Provisions in the Land Use By-law where applicable, or

(iii) the Heritage Officer in his or her discretion determines that the design of the proposed encroachment is more consistent with the objects of the Heritage Conservation District By-law or the Architectural Control Provisions in the Land Use By-law, where applicable, than the previous encroachment.

2.12 **Comfort Letter:**

Without restricting any of the provisions in this By-law, the Town Engineer may issue a comfort letter for:

(a) an encroachment existing on the street as of March 1, 2012, or

(b) an encroachment authorized in Section 2.10 of this By-Law.

under the signature of the Engineer, stating that the Town has no present intention to require the removal of an existing encroachment, but that the Town could require removal at any time in the future without notice or compensation to the property owner. The Engineer may require such information as in his or her opinion is reasonably necessary to determine the nature and extent of the encroachment before issuing a comfort letter. A draft comfort letter is attached to this By-Law as Schedule "B". The comfort letters shall be in this form, with such modifications in form as may be deemed appropriate by the Town Engineer in each case, or in such other form as may be adopted by Council by Resolution from time to time. There shall be a fee of $100.00 for a Comfort letter or such other amount as may be determined by Council by policy from time to time.

## PART 3

### General

### Provisions Applicable to Encroachment Licenses

3.0 **Change in Ownership:**

The License may be assigned by the Licensee to a new purchaser or owner of the abutting property referred to in the License. A new purchaser or owner of the abutting property shall, within 120 days of the change in ownership, notify the Heritage Officer, Development Officer and Town Engineer of the name and postal address of the new purchasers or owners, and provide to the Town a copy of the assignment and an executed indemnity in the form contained in Schedule A - if the new purchaser or owner fails to do so, the License shall be void.

3.1 **Revocation or Refusal:**

(a) Any one or more of the Heritage Officer, Development Officer and Engineer, may revoke a License for breach of this By-law or the Streets By-law or for not meeting or for ceasing to meet the terms of eligibility for the License, or may refuse to issue a License, upon written notice to the applicant or Licensee mailed to the address of record of the Licensee and no compensation shall be paid in relation thereto.

(b) The Town may, by resolution of Council, revoke a License, at any time during the term of a License by giving 120 days notice if, in its sole discretion, Council determines that it has need of any portion of the street which is the subject of the License, and no compensation shall be paid in relation thereto.

## PART 4

### REMOVAL OF ENCROACHMENTS

4.0 (a) Any structure or other encroachment on a street that has:

(i) heretofore been constructed or maintained; or

(ii) is hereafter constructed or maintained

upon, under or over any street in the Town, for which an Encroachment License has not been issued or where such License has expired or has been revoked (and where the structure or other encroachment does not fall within the exempting provisions of the Statutes of 1899 entitled " An Act Respecting the

Streets of the Town of Lunenburg"), shall be removed by the owner immediately upon the request of Council (or within such time period that the Council determines) and no compensation shall be paid therefor. Any such decision shall be communicated to the property owner or occupier by written notice from the Town Engineer. Council's authority to require removal shall, subject to Section 3.1(b), be in its sole and absolute discretion. **Nothing in this By-law shall require Council to request removal of encroachments existing at the date of adoption of this By-law.**

(b) If any owner fails to remove such encroachment immediately (or within such period determined by Council as referred to in Section 4.0(a), as the case may be), the Engineer may remove such structure (or cause such structure to be removed) and the cost of such removal may be recovered as a debt from such owner by the Town by action in any Court of competent jurisdiction or may be collected in any manner provided by the Municipal Government Act of the Province of Nova Scotia. Nothing in this Section shall limit the authority of the Town to utilize any remedies contained in the Municipal Government Act, either with respect to removal of the encroachment or recovery of the costs of removal. Without limiting the foregoing, the cost of such removal shall be a lien on the abutting property associated with the encroachment pursuant to the provisions of section 507 of the Municipal Government Act.

(c) Any failure by the Town to require the removal of an encroachment which has heretofore been constructed or maintained, or any letter from the Town or any official thereof indicating that the Town does not then require the removal of such encroachments, shall not restrict the Town from requiring the removal of the encroachment in the future or from subsequently requiring an application for an Encroachment License. The Town shall not be required to pay any compensation in relation to the removal of an encroachment or revocation of an Encroachment License or refusal to grant an Encroachment License.

## PART 5

## Appeal

5.0 **Appeal:**

A person aggrieved by a decision of any or all of the Heritage Officer, Development Officer and Engineer pursuant to this By-law may appeal that decision to Council within 14 days from the date of mailing of the decision to the abutting owner's address of record, by written notice of appeal to the Manager/Clerk. Council may make any decision that the officials appealed from could make pursuant to this By-law.

The Council also has, on appeal, the power to approve an Encroachment License for an encroachment authorized under this By-law, which is wider than an encroachment otherwise authorized to be granted under this By-law, provided that the encroachment does not, except as authorized by Section 2.11 (Minor Increases), and Section 2.1 (f) (Allowable increase) project further into the street.

After the hearing of an appeal, Council may confirm, rescind or vary the decision of the Heritage Officer, Development Officer and/or Engineer, as the case may be.

**PART 6**

**Offence**

Any person who violates any provision of this By-law, is guilty of an offence and subject to a penalty as provided in Section 505(2) of the Municipal Government Act SNS 1998, Chapter 18 as amended from time to time and the provisions of Section 505(3) of the said Act shall be applicable.

June 13, 2012
Date

**BEA RENTON**
Town CAO and Manager/Clerk

I, Bea Renton, CAO and Manager/Clerk for the Town of Lunenburg, do certify that the attached is a true and current copy of the Town of Lunenburg's Street Encroachment for Building Access By-law, duly approved by the Town of Lunenburg Council on May 1, 2012 with first reading having been given on March 27, 2012 and second and third readings on May 1, 2012 and effective on May 16, 2012, the date of advertisement in the Lunenburg County Progress Bulletin, a local newspaper.

SCHEDULE "A"

THIS GRANT OF ENCROACHMENT LICENSE made this _____ day of _____, 20___,

BETWEEN:

**THE TOWN OF LUNENBURG**, a municipal body corporate,

Hereinafter called the "Licensor"
OF THE FIRST PART

- and -

_____,
of Lunenburg, in the County of Lunenburg, Province of Nova Scotia,

Hereinafter called the "Licensee"
OF THE SECOND PART

WHEREAS the Licensor is the owner of a public street in the Town of Lunenburg, known as _____;

AND WHEREAS the Licensee is the owner of property - describe _____ Located at civic address and PID _____.

AND WHEREAS the Licensee wishes to construct and/or maintain a _____ which encroaches on _____ Street in accordance with the following specifications:

hereinafter referred to herein as "the encroachment", all of which is shown on the sketch attached hereto and dated _____;

THE LICENSOR hereby grants to the Licensee a License to construct and/or maintain the encroachment. The License shall expire on the _____ day of _____, 20___ (not to exceed ten years) and shall not be subject to renewal. The Licensee may make application for a new License upon expiry of this License.

THE LICENSEE shall pay the Licensor the sum of _____ for the License fee.

It is agreed that the Licensee has no claim to the street or other Town lands and may only maintain the encroachment in accordance with the terms of this License.

It is agreed by the Licensee that the encroachment will be maintained by the Licensee in a clean, safe and tidy condition.

The Licensee shall comply with all of the provisions of the by-laws of the Town of Lunenburg as well as all applicable Federal and Provincial legislation and regulations. Without restricting the foregoing, the Licensee shall comply with the provisions of the Streets By-law of the Town of Lunenburg.

The following terms, conditions and restrictions are applicable to this License:

_____
_____
_____

The Town shall not be liable for any damage to the encroachment (whether caused by the Town, its agents, servants, employees or workmen or otherwise), including without limiting the foregoing, damage caused by sidewalk snow removal equipment.

Any one or more of the Heritage Officer, Development Officer and Engineer may revoke a License for breach of the Streets By-Law or for not meeting or for ceasing to meet the terms of eligibility for the License upon written notice to the Licensee mailed to the address of record of the Licensee and no compensation shall be paid in relation thereto. The mailing address of the Licensee for the purposes of this notice is _____
_____
_____.

In addition, the Council of the Town of Lunenburg may at any time revoke any Encroachment License or any renewal thereof by giving 120 days notice, if in its sole discretion, Council determines that it has need of any portion of the street which is the subject of the License, and no compensation shall be paid in relation thereto.

Note: Section 3.0 of the Street Encroachment For Building Access By -Law states:

"The License may be assigned by the Licensee to a new purchaser or owner of the abutting property referred to in the License. A new purchaser or owner of the abutting property shall, within 120 days of the change in ownership, notify the Heritage Officer, Development Officer and Town Engineer of the name and postal address of the new purchasers or owners, and provide to the Town a copy of the assignment and an executed indemnity in the form contained in Schedule A - if the new purchaser or owner fails to do so, the License shall be void."

DATED at Lunenburg, Nova Scotia, this _____ day of _____, 20__.

**TOWN OF LUNENBURG** - per:

_____
HERITAGE OFFICER

_____ _____
Witness DEVELOPMENT OFFICER

_____
TOWN ENGINEER

_____ _____
Witness **LICENSEE**

(Affix Seal)

**INDEMNITY**

THIS Indemnity Agreement dated this day of , 2011.
BETWEEN:

_____ of _____, in the County of _____ and Province / State of _____,

- and -

**THE TOWN OF LUNENBURG**, a municipal body corporate,

Hereinafter referred to as the "TOWN"

WHEREAS the undersigned is the owner of a structure located at _____ Street, in the Town of Lunenburg and, subject to the execution of this Indemnity and the Encroachment License, has received permission to place or retain an encroachment within the street right-of-way adjacent to this structure as follows: _____
_____
_____

(herein referred to as the "Encroachment");
AND WHEREAS the Undersigned is the _____ ;
_____;

AND WHEREAS an Encroachment License may not be issued without the execution of an Indemnity pursuant to the provisions of the Street Encroachment For Building Access By-law;

NOW THIS INDEMNITY WITNESSETH that in consideration of the Town allowing the Encroachment subject to the provisions of the Street Encroachment For Building Access By-Law and the terms of the Encroachment License, and this indemnity being under seal, the Undersigned hereby for himself, his heirs, executors, administrators, successors and assigns agrees to indemnify (and does hereby indemnify) the Town, its agents, servants, workers, councillors, mayor and employees and their, and each of their heirs, executors, administrators, successors and assigns from and against all claims, suits, demands, causes of action, losses, costs (including legal costs) and damages resulting from or in any way related to the Encroachment.

The Undersigned acknowledges that the Town may require the removal of the Encroachment pursuant to the enabling provisions of the Street Encroachment For Building Access By-Law and no compensation shall be paid therefor.

This Indemnity shall be read with all changes of number and gender required of the context.

IN WITNESS WHEREOF the Undersigned has hereunto set h___ hand and affixed h___ seal.

SIGNED, SEALED AND DELIVERED
in the presence of:

_____ _____

WITNESS Owner

(Affix Seal)

**PROVINCE OF NOVA SCOTIA**
**COUNTY OF LUNENBURG**

ON THIS day of , 2011, before me, the subscriber personally came and appeared , a subscribing witness to the annexed Indemnity, who having been by me duly sworn, made oath and said that one of the parties thereto, signed, sealed and delivered the same in h presence.

_____
A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

**PROVINCE OF NOVA SCOTIA**
**COUNTY OF LUNENBURG**

I CERTIFY that on this day of , 2011, one of the parties mentioned in the foregoing and annexed Indemnity, signed, and executed the said Indemnity in my presence and I have signed as witness to such execution..

_____
A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

**PROVINCE OF NOVA SCOTIA**
**COUNTY OF LUNENBURG**

ON THIS day of , 20 , before me, the subscriber personally came and appeared , a subscribing witness to the annexed Grant of Encroachment License, who having been by me duly sworn, made oath and said that one of the parties thereto, signed, sealed and delivered the same in h presence.

A COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

**PROVINCE OF NOVA SCOTIA**
**COUNTY OF LUNENBURG**

I CERTIFY that on this day of , 20 , one of the parties mentioned in the foregoing and annexed Indemnity, signed, and executed the said Grant of Encroachment License in my presence and I have signed as witness to such execution..

A COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

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SCHEDULE "B"

**********

**BY FACSIMILE AND MAIL**

**********
**********
**********
**********

Dear *********:

RE: Encroachment on Town Property at ********** Street, Lunenburg

Thank you for your letter of ********* respecting the above noted matter. I have examined the location certificate you faxed and observed the encroachment as depicted (see copy attached). This encroachment is a ********** encroaching on Town property. Given that this is only a location certificate, there could be other encroachments that would be apparent on further examination which we reserve the right to object to should this become necessary.

At the present time, the Town of Lunenburg does not object to this encroachment and has no present intention to require the removal of the encroachment, but the Town could require removal at any time in the future without notice or compensation to you. The Town may also at its discretion in the future require you to make an application for an Encroachment License. Please note though, that permission for this encroachment may be revoked at any time. No possessory title may be claimed as a result of the encroachment. Further, please advise your client that they are responsible for any property damage, personal injury, other damages or loss that may arise as a result of the encroachment and are required to hold the Town harmless from same. Your client is also required to maintain these encroachments in a safe, clean and tidy condition while so occupied, unless otherwise directed by the Town.

Thank you for your inquiry. Please contact me at your convenience if additional information is required.

Yours very truly,

Town Engineer

MB/kj

Encl(1)

cc: Town Manager/Clerk
Heritage Officer

Document No: 5 (a) (v)
Meeting: Jul 28 20 Council
Circulate: Council
File:

# M E M O R A N D U M

**TO:** **COUNCIL**

**FROM:** **DAWN SUTHERLAND, MANAGER OF PLANNING & DEVELOPMENT**

**DATE:** **JULY 23, 2020**

**RE:** **BLOCKHOUSE HILL DEVELOPMENT – INFORMATION ON TASKS**

---

## 1. FACTS

The Blockhouse Hill lands have been considered, both formally and informally, over a number of years as a potential site for new residential development. In 2005 a number of smaller scale prototype house designs of Lunenburg vernacular architecture were created for a joint pilot project between the Town of Lunenburg and the Province. The issue of a lack of affordable housing had been identified as a barrier to younger families wishing to living in Lunenburg. For various reasons it was not developed at the time. The current Council has also discussed possible residential development Blockhouse Hill and more recently, a private developer has expressed an interest in building two multiunit buildings at the base of the hill.

On June 9, 2020, Council requested a report

> **"that will outline in it what tasks are needed to consider its potential sale and development, e.g., a survey, infrastructure analysis, etc**."

## 2. ISSUES AND OPTIONS ANALYSIS

A. **Lot Information**

Blockhouse Hill lands have been identified by Council as lands that could be potentially developed and thereby provide additional housing stock. Blockhouse Hill lands are owned by the Town of Lunenburg and are comprised of three separate lots. The large lot is 20.57 acres and is essentially the hill itself (PID 60056900). The second is a lot off Sawpitt Road with an area of 71, 679 sq.ft (PID 60671427). The third lot is at the top of the hill, behind 82 Kempt Street, with an area of 22,604 sq ft (PID 600566892). Aptly named, Blockhouse Hill has a Visitor Information Centre and Board of Trade offices in a replica blockhouse at

the top of the hill with the grade sloping down toward Back Harbour to the north. See Schedule A for satellite imagery and lot outline.

| | ZONE | LOT NUMBER | PID | AREA |
|---|---|---|---|---|
| 1 (large) | Residential/Recreation | I-1X | 60056900 | 20.57 acres |
| 2 (Sawpitt) | Residential | 09-1B | 60671427 | 71, 679 sq.ft |
| 3 (behind 82 Kempt) | Recreation | - | 60056892 | 22,604 sq ft |

Please note that there is a 4th lot, PID 6038668, that appears as two parcels on Property Online, the provincial mapping system. Where part of this land is located between the trail and the highway, it has not been included as part of the subject properties. Should Council wish, it could be included. It is not in the land registry system and has no assessment date. Please see attachment B for locational maps.

**B. Decision Points in Moving Forward**

Council has not made a decision on whether to move forward in selling Blockhouse Hill. There are a number of decision points for Council in moving toward residential development of these lands.

Council may turn their minds to these questions not only to focus dialogue but to enable clear direction to staff in proceeding.

Questions to consider are:

i. Does Council wish to make the development of these lands for residential purposes a priority? Are there other options to achieve new residential housing? What are the consequence of not developing these lands? What will be the impact on open space within the Town?
ii. Does Council wish to sell these lands to a private developer or develop these lands themselves?
iii. Does Council wish to approve the concept design and proceed via a Request for Proposals (RFP) or is compliance to the subdivision by-law sufficient? Is the RFP to cover lands currently occupied by the campground?
iv. Do we have enough information on whether the Town can absorb any financial burden incurred in preparing for and supporting development? (e.g. infrastructure upgrades, surveying fees, etc.)
v. Does Council wish to take the opportunity to address the need for affordable housing and ensure that some of these lands are used for affordable housing? Does Council wish to initiate a project which would see the Town keeping a lot(s) to sell for below market value or give to a not for profit organization such as Plan B Housing, housing cooperative, Habitat for Humanity, as enabled under Section 51(1) of the Municipal Government Act and subject to proper procurement procedures.
vi. What information will Council be providing to the developers via a RFP process? Are we providing information on fire flows and water pressure or doing other such assessments?

vii. Is there anything else that Council would like to see on the lands that would not be covered under planning and subdivision regulations? Does Council have any ideas of what they would like to do with any parkland - is there an opportunity for a recreation or commemoration project here? How does Council wish to incorporate public engagement into the development of the new public places?

These questions are not exhaustive but are aimed at being illustrative of the type of discussion that should occur prior to divestiture.

**C. Issues and Considerations**

i. Draft Comprehensive Community Plan, Project Lunenburg. Development of Blockhouse Hill for residential development is in keeping with the draft Comprehensive Community Plan. Please note that this draft has not been approved by Council as it is still out for consultation. The planning documents (municipal planning strategy, land use by-law and subdivision by-law) are in the process of being drafted.

The lack of housing, and in particular housing that is affordable, was identified as an issue for Lunenburg. Project Lunenburg defines affordability is defined here as 30% of a household's before-tax income should cover the complete cost of shelter.

The large hill lot (PID 60056900) is shown to be in an area of Residential Expansion. Residential Expansion areas are intended to connect the existing residential neighbourhoods and land uses through new context-sensitive residential development providing a variety of housing options. Built form includes semi-detached dwellings, duplex dwellings, converted dwellings, townhouse dwellings, accessory suites, grouped dwellings.

The lot off of Sawpit road (PID 60671427) is shown to be in an area of Gentle Density. Gentle Density is defined as a strategy through which additional growth can be accommodated in established residential neighbourhoods by adding housing forms such as garden suites and secondary suites, which do not change community appearance and built character. It is likely that if a street is able to be developed that accesses Sawpitt Road, it will be single loaded (houses on one side only) as the strip of land narrows. This area will be more expensive to develop as a result of the single load reducing profitability.

It is very likely that the new planning documents will approach development of these lands in a comprehensive way – perhaps through a residential comprehensive development district (CDD) or a specifically tailored zone. CDDs accommodate development on a site which has unique characteristics (e.g. a large tract of vacant land) and as such, has tailored regulation that is not available in other zones. They are enabled through Section 226 of the Municipal Government Act. If a district is enabled in policy, then development may proceed through the use of a

development agreement and/or uses specifically permitted in the CCD zone.

ii. Heritage

A portion of the lots that are at the top of the hill are in the Heritage Conservation District along with the home at 82 Kempt Street. Future development proposals will need to meet the requirements of the Heritage Conservation District Plan and By-law.

These lots are in the buffer area of designated World Heritage Site of Old Town Lunenburg. The buffer area is actually a patchwork of Town owned properties rather than an actual buffer area around the perimeter of the World Heritage Site. New residential development on these lots will need to be evaluated in terms of its impact on the Statement of Outstanding Universal Value (OUV).

The Draft Comprehensive Community Plan of Project Lunenburg suggests a transition area between established and any new proposed development, which will be beneficial in protecting the OUV.

iii. Land Valuation

All lands are currently assessed as “commercial exempt” as they are Town owned properties. Council may choose use the value assigned to the properties by Property Valuation Services Corporation (PVSC) or have a formal appraisal of the property carried out privately. See Attachment C for information on lot assessments.

iv. Survey and land migration in the Land Registration System.

Lots should be surveyed and in the land registration system. Lot 09-1B (off Sawpit Road) had been surveyed in 2009 and is in the land registration system. The other two lots need to be surveyed and migrated. Lot consolidation through the approval of a final plan of subdivision may be beneficial in terms of referring to one land parcel but not necessary for land sales transaction. Please note that all lots would be need to be migrated prior to subdivision plan approval.

v. Land Availability and Market Competition

There are vacant lands that are designated and zoned for residential development that are privately owned. These lands could be developed to provide for a range of housing options. As these lands are in private hands, the Town can only encourage but not force the development of these lands. Please not that there are also serviced vacant lots currently on the market, such those in the Salt Meadows subdivision off of Wolff Avenue.

There have been questions as to whether the development of these lands would have a negative impact on the viability of other developments. The Blockhouse Hill lands are highly desirable as they are in close proximity to the core, within walking distance of many amenities, and adjacent to the

Back Harbour Trail and the Bay to Bay Trail system. Regardless of who is selling the lots, it is likely that the development of Blockhouse Hill would negatively impact other proposed green field residential development elsewhere in Town. There is currently a developer working with Public Works on servicing issues with the intention of servicing a future residential subdivision.

There are other ways of accommodating additional housing such as through infilling vacant lots, adaptive reuse of existing buildings, increasing density in existing housing stock (additional units in an existing building or on the lot), as well as new subdivisions in other areas of town.

vi. Traffic Study

A traffic study would be required under the Subdivision Specifications. The Town is responsible for the costs of carrying out the study. The study would speak to the ability of the current street network to absorb additional traffic flows generated as a result of the new development. It should evaluate the road network and its condition. It is likely that access/egress points would be from Oxner Drive and Creighton Street and possibly Sawpitt Road. The viability of an entrance off of Sawpitt Road would need to be investigated as there is an industrial circuit (electricity) on Sawpitt Road.

The traffic study would speak to any needed upgrades to the street network such as widening or resurfacing. With respect to how pedestrian flow impacts the street, there may be recommendations for sidewalks given the increased number of pedestrians who will be using the streets. The Town would be responsible for installing new sidewalks such as along Kempt or Prince, for example. With new sidewalks comes curbing and most likely storm sewer as these areas are currently served by shallow ditches. New sidewalks would connect the new residential of Blockhouse Hill to the core.

vii. Costs associated with new infrastructure

Under the current subdivision by-law, costs for the installation of infrastructure associated with a new subdivision is the responsibility of the developer. The cost is significant so the developer must first determine the design and nature of development in order to ensure that the venture is profitable. The cost is associated with such things as installation of water mains, laterals, service to the property line, and hydrants; installation of storm and sanitary sewer lines; curb and pavement; installation of electricity poles; streetlighting, etc. The Town Engineer has to determine that the new public streets, central water systems, and central sewer systems have been constructed as required by the Subdivision By-law prior to approval. Titles to the streets are accepted by the Town afterward.

As construction costs are significant, developers may request that a cost sharing agreement with the municipal unit be entered into to facilitate new construction. There is no requirement to cost share. Cost sharing is at the

discretion of Council and would need to be considered in the budget process.

viii. Water Pressure and Fire Flows

It has been past practice for developers to be responsible for hiring an engineer to carry out fire flows and do an analysis of the water system to determine if pressure is sufficient for development. In order to facilitate a sale, this information could be provided to the developer in advance by the Town so that that are prospective developer would know if their proposal would be capable of being serviced by the Town without upgrades or the extent to which upgrades are necessary. Much depends upon the concept plans, however, water lines should be looped to ensure high water quality (as opposed to dead end water lines). A water line could come from Oxner Drive to the top of the hill and, if feasible and permitted, another to Sawpitt Road should development occur along any proposed new street extending to Sawpitt Road. The water line along Kempt Street has been upgraded and the one along Kaulbach Street is in the capital plan for renewal in the future. This would provide another header to feed the Old Town, which would be beneficial for fire flows. Please note that depending upon the results of the fire flows test, the Town may need to consider this upgrade.

The Town water supply has the capacity to service a residential subdivision.

ix. Sewer Services

Issues surrounding the capacity and functioning of the sewage treatment plant are currently being reviewed. Infiltration has been identified as having a negative impact on the ability of the plant to handle peak flows and future capacity. It is premature to comment on the ability of the plant to handle additional capacity, especially if there are two large subdivisions being planned at the same time. This issue has been made a priority of Council and further information will come before Council from Public Works as their project has been initiated.

x. Electricity

Once there is a concept plan, a scope would need to be requested by the developer to the Town of Lunenburg Electric Utility.

xi. Viewplane from Blockhouse Hill toward Back Harbour

During the pilot project circa 2006, a contour was developed that defined a viewplane where development could not interfere with the view of a person standing on Blockhouse Hill (near the current visitor information centre) and looking toward Back Harbour. More research is needed on the parameters of the view plane. Viewplane protection can be a consideration for future development.

xii. Other

Additional information for developers may be achieved through the Town carrying out a high level environmental impact assessment, a species at risk assessment, and archeological assessment. An asset management assessment for infrastructure would be beneficial for future budgeting.

**D. Municipal Process (Tasks)**

Below is an outline of the process that can be followed should Council wish to sell the lands to a private developer and approve of the concept plan. Please note that the development would still be subject to the land use and subdivision by-laws as well as any other applicable by-laws.

The municipal process is:

i. Council decision to move forward with an RPP.
ii. Gather internal documentation and begin drafting the RFP.
iii. Prepare the property: carry out a valuation of the property, survey, migration, traffic study, etc.
iv. Internal review of draft RFP (legal, procurement, adherence to internal policies and procedures).
v. Council approval and release of RFP.
vi. Acquire a real estate professional to handle any transactions, if necessary.
vii. Decision on RFP and process for sale of municipal property under Section 51 of the Municipal Government Act. See Attachment D for MGA 51. (Please note that Council may not wish to sell the lands if there is not a suitable response to the RFP so the divesture process should not begin too early in this process.)
viii. Transaction complete and subdivision process to begin.

## 3. FINANCIAL IMPACT

As discussed above.

## 4. STRATEGIC PLAN RELEVANCE

A proposal to develop Blockhouse Hill for residential development would be in keeping with all of the goals of the Strategic Plan, as set out below:

- Promote a high quality of life for residents
- Celebrate our community
- Champion opportunities for our community's health and well-being
- Foster an environment for business success
- Operate the Town efficiently and effectively

## 5. RECOMMENDATION AND DRAFT MOTION

This report is for information purposes only, as requested by Council.

Possible Next Steps:
A number of questions have been put forward in B. Decision Points in Moving Forward section of this report. **Staff will require specific instruction** regarding the terms of reference for it to be properly evaluated, e.g., how much land is included, what infrastructure is the developer expected to provide if cost sharing, what design concepts will be considered, will there be a buy back clause if no development within a certain time frame, etc.

Attachments -

Attachment A – Satellite view of subject properties
Attachment B – Maps: PID 60386687, 4th lot between trail and highway (not currently included as subject lands)
Attachment C – Information on assessment (from Property Online)
Attachment D – Section 51, MGA Sale or lease of municipal property

Acknowledged only by:

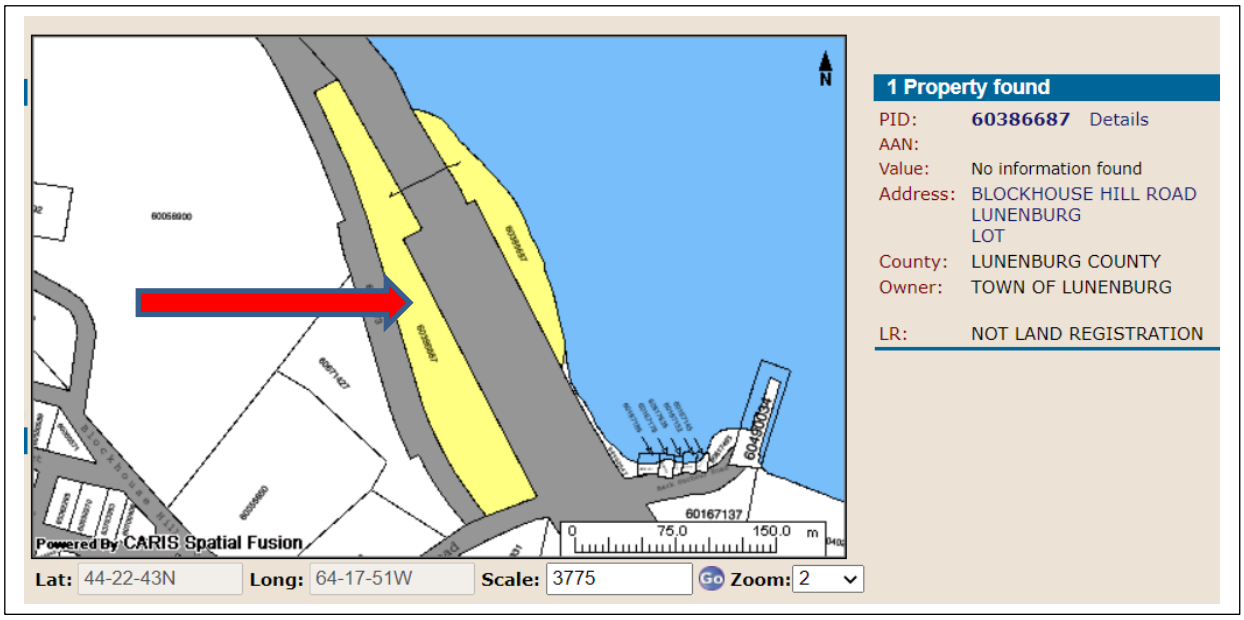
Bea Renton
Town Manager/Clerk

Attachment A – Satellite view of subject properties



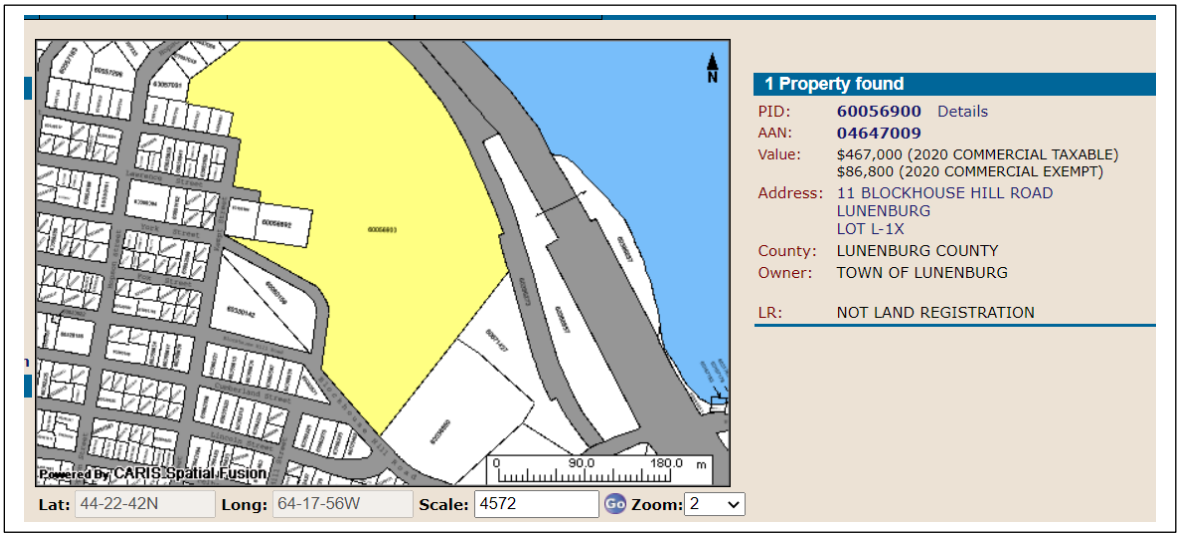

| | ZONE | LOT NUMBER | PID | AREA |
|---|---|---|---|---|
| 1 (large) | Residential/Recreation | I-1X | 60056900 | 20.57 acres |
| 2 (Sawpitt) | Residential | 09-1B | 60671427 | 71, 679 sq.ft |
| 3 (behind 82 Kempt) | Recreation | - | 60056892 | 22,604 sq ft |

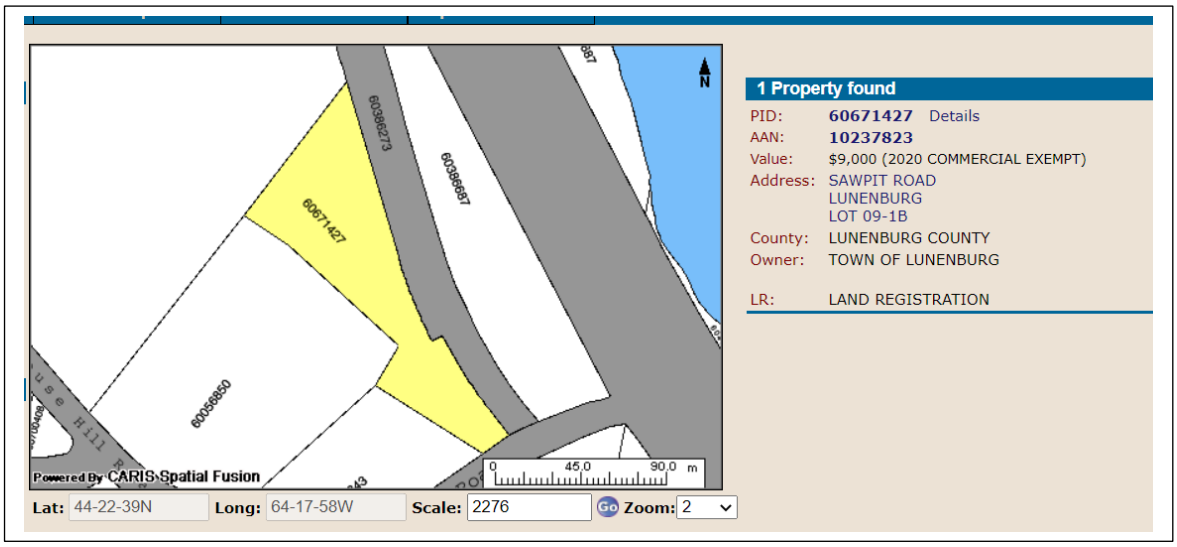
Attachment B – Maps: PID 60386687, 4th lot between trail and highway (not currently included as subject lands)

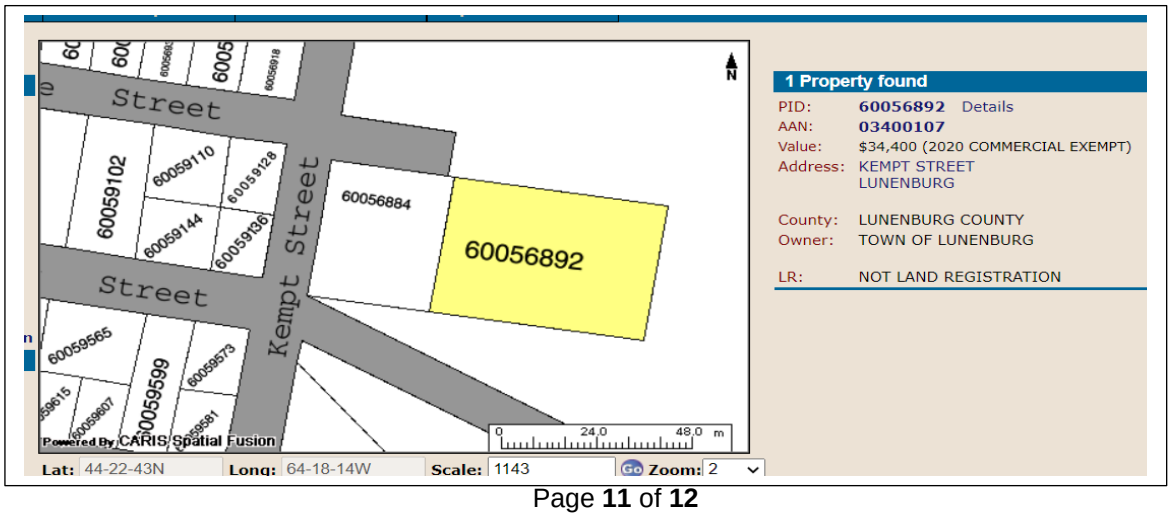





Attachment C – Information on assessment (from Property Online)



**Sale or lease of municipal property**

**51** (1) A municipality may sell or lease property at a price less than market value to a nonprofit organization that the council considers to be carrying on an activity that is beneficial to the municipality.

(2) A resolution to sell or lease property referred to in subsection (1) at less than market value shall be passed by at least a two thirds majority of the council present and voting.

(3) Where the council proposes to sell property referred to in subsection (1) valued at more than ten thousand dollars at less than market value, the council shall first hold a public hearing respecting the sale.

(4) The council shall advertise the public hearing at least twice, in a newspaper circulating in the municipality, the first notice to appear at least fourteen days before the hearing.

(5) The notice of the public hearing shall include the date, time and place of the hearing, the location of the real property or a description of the tangible personal property, the estimated value of the property and the purpose of the sale. 1998, c. 18, s. 51

Circulated: _____

Document No: ___
Meeting: Council - August 25, 2020
Circulate To: Council, BR
File:

**M E M O R A N D U M**

**TO:** **TOWN COUNCIL**

**FROM:** **ARTHUR MACDONALD, HERITAGE MANAGER**
**HEATHER MCCALLUM, ASSISTANT MUNICIPAL CLERK**

**DATE:** **AUGUST 24, 2020**

**RE:** **ANTI-RACISM SPECIAL COMMITTEE**

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## 1. FACTS

### A. Background

At the Council Meeting of July 28, 2020 a presentation was made to Council by Lunenburg resident Jessika Hepburn entitled “Response to Petition to Rename Cornwallis & Creighton Streets” (**Attachment A**). The presentation included advice on the formation of an anti-racism body for the Town.

This memo is in response to a motion of Council from the July 28th meeting:

> *Motion: moved and seconded for staff to prepare a Council report in consultation with the appropriate stakeholders and experts with a view to forming a task force or Special Committee to promote anti-racism, with a particular emphasis on anti-Black and Indigenous racism.*

Municipal Action Plans

A number of Nova Scotia municipalities have created Municipal Action Plans for ending racism and discrimination. NSFM-AMANS conducted a webinar on July 23, 2020 to assist other municipalities in doing the same.

- Staff has contacted HRM, the Town of New Glasgow, the Town of Truro and the Municipality of Kings for information pertaining to their Terms of Reference for their Diversity-Inclusion Committees. These and other reference materials are available upon request.

- HRM has created a Cornwallis Task Force and their July 21, 2020 report is available. Further information is available at https://www.halifax.ca/city-hall/boards-committees-commissions/a-c/task-force-commemoration. Maggie MacDonald of HRM has been very helpful with regards to providing this information.

- The Municipality of Kings' Diversity Committee information is available at https://www.countyofkings.ca/residents/diversity.aspx. A copy of Municipality of the County of Kings' Action Plan for Ending Racism and Discrimination is available upon request.

- Staff has reached out to Thivjan Tharmaratnam, Director of Community Economic Development, Town of New Glasgow and their Terms of Reference for their Coalition for Inclusive Communities Committee (previously known Race Relations and Anti-Discrimination Committee) is available upon request.

Historic Research

Staff is in the process of obtaining further research books and materials on the subject of Indigenous and African Nova Scotia history pre-1753. This research will help formulate background information to recognize their contribution to our area's rich history.

Staff has reached out to Dr. Bernie Francis, a Mi'kmaw Doctor of Civil Law, author, linguist, and advocate. Further information pertaining to Dr. Francis may be obtained at https://news.smu.ca/news/2018/5/7/honorary-degree-dr-bernie-francis. Nova Scotia author Corinne Hoebers has been very helpful in this matter and, for example, has been advised by Dr. Francis that "Merligueche" truly means "at the barrel place". Apparently the Mi'kmaw were excellent barrel makers (coopers). There was also a place on Cape Breton Island called "Merligueche" near Whycocomagh with the same name where barrels were made.

Coalition of Inclusive Municipalities

Staff has also spoken to Mohammed Mousa, Programme Officer, Social, Human Sciences and Youth at the Canadian Commission for UNESCO about their Coalition of Inclusive Municipalities: https://en.ccunesco.ca/networks/coalition-of-inclusive-municipalities.

The coalition, formerly the Canadian Coalition of Municipalities Against Racism and Discrimination and renamed in 2019, has 82 members across Canada, including Halifax, Kentville, Kings County, New Glasgow, and Truro from Nova Scotia.

About the Coalition of Inclusive Municipalities (from their website):

*This network brings together municipalities that want to improve their policies against racism, discrimination, exclusion and intolerance.*

*They [member municipalities] advance initiatives to:*

- *improve their practices to promote social inclusion*
- *establish policies to eradicate all forms of racism and discrimination*
- *promote human rights and diversity*

The Coalition provides guidance, toolkits, and other resources to support member municipalities in ongoing inclusivity work. There is no membership fee to join the organization, although the member municipality agrees to develop its own Plan of Action.

A copy of the Declaration to Join the Coalition of Inclusive Municipalities is enclosed (**Attachment B**) for reference. The Coalition recommends that municipalities reach out to and engage stakeholders before joining.

## B. Proposal

The proposal is to establish a Special Committee of Council, by issuing invitations to appropriate stakeholders and experts from the BIPOC (Black/Indigenous/ People of Colour) community from the Town of Lunenburg where possible, and the wider community where necessary.

Mandate of the Special Committee

The mandate of such a Special Committee would be to:

1. Develop a Municipal Action Plan for Ending Racism and Discrimination with emphasis on anti-Black and Indigenous racism, including:

    a) Identify ways and means to eliminate barriers to employment, policies, procedures and practices that may negatively impact the BIPOC members of our community;
    b) Strive to achieve suitable representation of designated and underrepresented groups, with particular attention to African Nova Scotian and Indigenous people, in the Town of Lunenburg's workplace, activities and services;
    c) Strive to showcase the rich cultural heritage of all peoples on the Town of Lunenburg's literature, plaques, interpretive panels, street naming policy, events, website and other media/communication platforms with particular attention to African Nova Scotian and Indigenous histories.
    d) Make recommendations on how implementation and ongoing monitoring through an inclusivity, diversity, and anti-racism lens can

be achieved in the Town of Lunenburg and/or the surrounding area going forward.

2. Review and consider the Town becoming a member of the Coalition of Inclusive Municipalities.

Composition of the Special Committee

The suggested composition of the Special Committee is as follows - eight committee members including:

- Two municipal Councillors (one of which shall Chair);
- Two Citizens at large who have knowledge or expertise in African Nova Scotian or Indigenous affairs (who may or may not live within the Town);
- Two representatives from African Nova Scotian Community;
- Two representative from the Indigenous Community (one of which shall be a representative from Acadia First Nations).

Other participants:

- The Committee may also invite external non-voting participants who represent key partner organizations and/or who bring expertise in relevant areas.
- Town Staff shall be assigned to support the Special Committee (recording secretary and/or subject matter expert – most likely the authors of this report).

Timing and Dissolution

It is anticipated that the work of the Special Committee would take approximately a year, depending on availability of the members, from the point of membership appointment and Draft Terms of Reference.

Per the “Council and Committee Meetings and Proceedings” Policy, the mandate of the Special Committee would expire when it has completed its work on the Municipal Action Plan for Ending Racism and Discrimination, made its report, and Council has made a final decision about the report.

Terms of Reference

A Draft Terms of Reference is in the process of being developed by staff drawing from existing committees in other municipalities for conditional Council approval. The Special Committee may make recommended amendments to revise the Terms of Reference to Town Council for approval throughout the course of their term and others matters as required.

Preliminary Stakeholders

It is also recommended that Council provides the authority to the Mayor to approach Chief Deborah Robinson of the Acadia First Nation to participate directly, or otherwise designate a representative, to be a member(s) of the Committee. Many federal government grants require the support, and in some cases, the Band's direct application, in order to receive funding.
Staff will be consulting with Natasha Gray, Regional Program Administration Officer – Northern Region, Department of Communities, Culture and Heritage, African Nova Scotia Affairs, as well as with Ms. Hepburn.

Other resources include the Nova Scotia Human Rights Commission, the Department of Aboriginal Affairs, and the Coalition on Inclusive Municipalities.

Staff has investigated reaching out to adjoining municipal units to see whether they wish to undertake a Lunenburg County Joint Anti-racism Committee. The Town of Bridgewater, for instance, is addressing a petition to change their Cornwallis street name via their Heritage Advisory Committee, which has responsibility for street names. As the local municipalities are in different places on this issue, it is recommended at this time that a Lunenburg Special Committee proceed on its own. The Special Committee may investigate the feasibility of establishing a regional committee as part of its deliberations.

## 2. ISSUES AND OPTIONS

The issues with regards to the establishment of a new Special Committee is related to staff and financial resources.

Council will be required to devote staff time and financial support to the committee. The devotion of existing staff will require Council's understanding that other initiatives will be affected. Alternatively, Council may approve the hiring of additional staff or consultant(s) to help facilitate the committee.

It is recommended that Special Committee members be paid for their time and expertise, either as salaried staff from BIPOC organizations or, if for an individual volunteer, the Committee of Council member honorarium of $225.

The following options may be considered:

**1)** To establish a Special Committee to develop a Municipal Action Plan for Ending Racism and Discrimination with existing staff and financial resources; or

**2)** To establish a Special Committee to develop a Municipal Action Plan for Ending Racism and Discrimination with funding support for a professional consultant to undertake the Plan *or* a final review of the Plan in the 2021-22 fiscal budget. Consultants cost would be dependent on scope of work.

## 3. FINANCIAL IMPACT

The Special Committee will need financial resources apart from staff hours. Committee member honorariums for individual volunteers will be required, with a cost of $225-1,350 depending on membership make-up. Print advertising fees of approximately $300 may be required.

Such costs were not envisioned during the 2020-21 budget preparations, and there are no suggestions for offset savings included in this report.

The possibility of financial support from Federal or Provincial departments to support diversity work should be investigated.

It is suggested that Council devote financial resources to the Special Committee in the 2021-22 fiscal budget for an expert consultant final review of the Action Plan (optional). In addition, potential Action Plan recommendations such as developing new interpretive plaques would have additional costs, to be determined.

## 4. STRATEGIC PLAN RELEVANCE

This project is in keeping with:

*Strategic Plan Goal #1 - Promote a high quality of life for residents by enhancing appreciation of Lunenburg's heritage and becoming a more welcoming community; engaging our citizens and fostering Lunenburg's development as a cultural hub;*

*Strategic Plan Goal #3 - Champion opportunities for our community's health and well-being;*

## 5. RECOMMENDATION AND DRAFT MOTION

It is recommended that Council approved a motion to proceed with the establishment of an Anti-Racism Special Committee, to develop a Municipal Action Plan for Ending Racism and Discrimination in the Town of Lunenburg as described in this report. Membership is to be formed by invitation to BIPOC

experts and stakeholders, and by advertising for citizens-at-large. Membership and Terms of Reference to be approved by Council at a future meeting.

It is recommended that Council approved a motion enabling the Mayor to contact Chief Deborah Robinson of the Acadia First Nations to invite her or a representative to become member of the committee.

*Motion:* Moved by ____, seconded by ____ that Council approved a motion to establish an Anti-Racism Special Committee to develop a Municipal Action Plan for Ending Racism and Discrimination in the Town of Lunenburg, as described in this report. Membership is to be formed by invitation to BIPOC experts and stakeholders, and by advertising for citizens-at-large. Membership and Terms of Reference to be approved by Council at a future meeting.

*Motion:* Moved by ____, seconded by ____ that Council approved a motion enabling the Mayor to contact Chief Deborah Robinson of the Acadia First Nations to invite her or a representative to become member of the Special Committee.

**ATTACHMENTS:**

**A.** Response to Petition to Rename Cornwallis & Creighton Streets
**B.** Declaration to Join the Coalition of Inclusive Municipalities

Acknowledged by:

_____
Bea Renton
Town Manager/Clerk

# ATTACHMENT A

# Presentation to The Town of Lunenburg Regarding Response to Petition to Rename Cornwallis & Creighton Streets

**Jessika Hepburn**
**49 Townsend St, Lunenburg NS, B0J 2C0**
**902-448-1748**

- On July 1, 2020 I created a petition http://chng.it/dnS4Wc29dq to evaluate support for and opposition to renaming Cornwallis St and Creighton St to honour Lunenburg's Black and Mi'kmaq history and contributions to our community. Shortly afterwards an Indigenous person in Bridgewater created a similar petition in consultation with Mi'kmaq elders http://chng.it/5PLvpS79qT. That petition is included as an appendix to this presentation.
- As a resident and homeowner in Lunenburg of Black and Jewish descent creating this petition was a personal response to the lack of local action or visibility regarding global Black Lives Matter protests or the movement to recognize Mi'kmaq title or Indigenous rights and the opportunity to address systemic racism in our own community. It was also a response to racialized community members, family, and friends sharing their experiences of racism and racial violence in Lunenburg, their feelings of being unsafe and unwelcome here; and the unwillingness of many within the community to have these uncomfortable conversations so that all residents and visitors can feel comfortable.
- There have been hundreds of signatures in support of the petition and in favour of wider discussions about racism in our communities. However of bigger concern and cause for immediate action is the reaction to starting a respectful discussion about changing a few signs and sharing research into Lunenburg's historical racism so we can talk about how it impacts people today, including visitors to our town.
- Myself and others have received hateful messages, threats, insults, and been banned from the Lunenburg Community Bulletin Board on Facebook for trying to post the petition (my posts were never published) or have conversations about the racism and segregation racialized people experience in our community. Supporters of the petition have also been banned from the Lunenburg Facebook board and received hatred or censorship online in response. This kind of censorship creates a culture of fear, silence, and oppression that is harmful.

- **In light of the reaction to this petition I urge the Town of Lunenburg to do the following:**

  - Make a public statement on the town website, social media, and to the press condemning racism in our community, recognizing historic and current systemic racism and committing to building an anti-racist community.
  - Create an anti-racism initiative in Lunenburg led by BIPOC that are compensated for their time and supported by BIPOC organizations or representatives. This initiative must have a timeline of immediate steps and measurable outcomes.
  - Create staff report on incidents of systemic racism and racial violence in the Town of Lunenburg including a review of allocation of budget to equity seeking projects or initiatives led by BIPOC residents, whether BIPOC are represented in town marketing or social media, and systemic biases in elections, hiring, recruitment, and newcomer outreach. Make this report and council meetings to discuss it public.
  - Close major gaps in the Project Lunenburg consultation process https://www.explorelunenburg.ca/comprehensive-community-plan.html and draft document by having the draft reviewed by BIPOC anti-racism professionals and members of the community, prior to finalization or implementation, to ensure final drafts are anti-racist, accurately represent history, and created opportunity for input from marginalized residents.
  - Hire BIPOC anti-racism facilitators and consultants to provide training to council, administration, and town staff on identifying and addressing systemic racism and creating a town that welcomes everyone equally. If budget is a concern this training can be made available to members of the Chamber of Commerce and the local community to offset costs or there are funds available through various government agencies to cover the creation of these programs as well as anti-racist policy development.
  - Include a timeline for reviewing and updating Cornwallis and Creighton Streets and all interpretive signage to include Mi'kmaq and Black history created in consultation with those communities as called for in the initial petition.
  - Publicly recognize the colonial slaveholding past that led to violence against Mi'kmaq communities such as E'se'katik by people like Cornwallis and enslaved Black people such as Sylvia by Creighton or Lydia Jackson by Dr Buhlman.

Honouring these stories is important to helping the community learn that they are also part of Lunenburg's history.

- Create a culture of care and respect by taking these concerns seriously and acting with urgency.

- **Resources for Canadian municipalities to address and commit to anti-racism have been available for decades, some of these resources and toolkits include:**
  - African Nova Scotian Decade for People of African Descent Coalition https://www.ansdpad.ca/
  - African Nova Scotian Affairs https://ansa.novascotia.ca/
  - Canadian Coalition of Municipalities Against Racism and Discrimination: Toolkit for municipalities, organisations and citizens https://www.crrf-fcrr.ca/images/CCMARD_Toolkit.pdf launched 2005
  - Coalition of Inclusive Municipalities, https://en.ccunesco.ca/networks/coalition-of-inclusive-municipalities
  - Ontario Human Rights Commission, Anti-Racism and Anti-Discrimination for Municipalities http://www.ohrc.on.ca/sites/default/files/attachments/Anti-racism_and_anti-discrimination_for_municipalities:_Introductory_manual.pdf
  - Anti-Racism Action Program Funding (Federal) https://www.canada.ca/en/canadian-heritage/services/funding/anti-racism-action-program.html
  - Confronting Anti-Black Racism Initiative https://www.toronto.ca/wp-content/uploads/2019/04/97d4-community-conversation-guide-participants.pdf
- It is incumbent upon elected leaders, administrators, and community stakeholders in positions of power and privilege to educate themselves about the resources available, identify budgets and allocate funding to anti-racism initiatives and expertise of BIPOC when creating such projects.
- It is also the responsibility of municipalities to actively seek out anti-racism and anti-oppression training by respected BIPOC professionals in their fields of expertise and ensure this training is available to all levels of government and administration. At no time should unpaid, or inexperienced educators be called upon to do this work for established organizations.

**Issues with Diversity and Inclusion Committees**

- Sophie Williams (Millenial Black) writes about why these diversity or anti-racism initiatives can be performative and damaging to racialized people who participate in them:
  - Many organizations create diversity or inclusion committees just to be able to say that they have them
  - These initiatives are treated as a get out of jail free card so they don't have to take the real steps of changing the structural racism in their organization.
  - Instead of forces for changes these groups can become PR talking points for racist companies/organizations unwilling to make change.
  - These committees are usually set up and driven by people from marginalized communities.
  - This puts the burden of education and pushing for change onto the shoulders of already marginalized people, adding to their work loads, and their emotional labour.
  - This work os often being left to people without the seniority to make real, long term, structural change.
  - Team members usually do so on top of their existing workloads
  - This type of work is invisible, undervalued, under supported.
  - This time reduces people's time and capacity to take on 'glamour work' or higher profile projects
  - This work is often not quantified with real action, targets, and transparency to stay accountable and on track in making long term change.
  - Making change doesn't only take time, it takes money.
  - Organizations must invest in their anti-racism targets in the same way they would any other important area of development.
  - Training costs money. Resources cost money. Speakers cost money.
  - Pay people for their time and work and invest in the change you want to make.
  - Bringing in a wider range of people is good. But, not if you're bringing them into a hostile environment. Not if you don't pay them equally.

    - Bringing in token marginalized people without giving them support, treating them as equals, or listening to their experiences does not make change. *Reference:* http://sophiewilliamsofficial.com/

- An effective anti-racism task force or committee must:
    - Have representation from impacted communities, stakeholders, politicians, administration
    - Define roles and responsibilities and decision making processes clearly
    - Define strategic objectives
    - Report and establish liaison relationship with municipal council
    - Provide progress reports to the community
- There is an inherent power imbalance when non-BIPOC elected representatives determine the terms of reference in anti-racism task forces or chair meetings without having participated in BIPOC led anti-oppression and anti-racism training.
- Marginalized people are then in an additionally vulnerable position of needing to interrupt to both educate about their experiences and participate. A culturally competent facilitator is required in order to address these power imbalances openly and ensure that marginalized voices are prioritized.

# Petition to Rename Cornwallis & Creighton Streets in Lunenburg to Honour Mi’kmaq & Black Communities

This petition calls on the Town of Lunenburg to do the following:

- Rename “Cornwallis St.” to “E’se’katik St.”
- Rename "Creighton St.” to "Sylvia St.”
- Replace “Merligueche” interpretive panel located at the Old French Cemetery with accurate information in consultation with the Mi'kmaq community including that the village of Merligueche was ordered destroyed by Edward Cornwallis and the area was originally called E’se’katik by the Mi'kmaq.
- Install interpretive panel in consultation with the Black Nova Scotian community beside current plaque recognizing Colonel Creighton to honour Sylvia of Lunenburg and acknowledge Lunenburg’s slaveholding past.

The above are small steps towards demonstrating a commitment to anti-racism by recognizing how Mi’kmaq and Black communities have been negatively impacted by Lunenburg’s colonial history and racism in our community as well as an opportunity for educating both visitors and local residents.

**Replace Cornwallis St. with E’se’katik St.**

For over a hundred years, Lunenburg was a Mi’kmaq/Acadian village called Mirliguèche by the French but the region was originally known to the Mi'kmaq as E’se’katik, meaning 'at the place of clams'. In 1749 Governor Edward Cornwallis ordered Mirliguèche destroyed and sent troops led by Commander White to destroy the village. By 1753 one Mi’kmaq/Acadian family remained in the area, Paul Labrador (Guédry, dit LaVerdure), his wife Anne Mieuss who was half Mi’kmaq, and their children. Descendents of the Labrador family continue to live in the area and practice traditional ways of living passed on since time immemorial. Renaming Cornwallis St is a symbolic way for Lunenburg to recognize that all of Nova Scotia is in fact Mi’kma’ki, the ancestral and unceded territory of the Mi’kmaq People. This territory is covered by the “Treaties of Peace and Friendship” which Mi’kmaq and Wolastoqiyik (Maliseet) people first signed with the British Crown in 1725. The treaties did not deal with surrender of lands and resources but in fact recognized Mi’kmaq and Wolastoqiyik (Maliseet) title and established the rules for what was to be an ongoing relationship between nations.
In 2018 the City of Halifax removed the statue of Edward Cornwallis after more than thirty years of Mi’kmaq calling for the statue’s removal on the grounds that a man

responsible for inciting genocide should not be publicly celebrated. Honouring Cornwallis with statues and streets is a constant reminder of the pain, suffering and colonization endured by Mi'kmaq to this day.

**Replace Creighton St. with Sylvia St.**

Colonel John Creighton is best known for his conduct during the American privateer raid of 1 July 1782 on Lunenburg, he was also a slave owner. Sylvia was enslaved by Creighton during Nova Scotia's period of slavery. When the town was invaded by American soldiers Sylvia bravely shuttled cartridges of ammunition hidden in her apron from Creighton's house to the fort where he and his soldiers were engaged in battle. When the house came under fire, Sylvia threw herself on top of the colonel's son to protect him with her own body. During the battle she concealed Creighton's valuables in a bag that she lowered into a well for safe keeping, and also protected the home and possessions of Major Jessen, according to one source"tradition has it that she helped to load the muskets in the blockhouse and even fire them." Sylvia died in Halifax on 12 March 1824 age 70 and is buried in the Old Burying Ground.

While Creighton has been recognized and rewarded, to this day Sylvia has never been honoured, or publicly acknowledged. Children who go to school in Lunenburg do not learn about Sylvia or Nova Scotia's period of slavery, there are no plaques, statues, or tributes to her anywhere in the Town of Lunenburg. In the absence of a visibly diverse town council or administration this small acknowledgement of Lunenburg's long history with racism is a step towards an equitable future where all histories are equal.

Signed,

change.org

Recipient: Town of Lunenburg Nova Scotia, Mayor Rachel Bailey, Deputy Mayor John McGee, Councillor Danny Croft, Councillor Ronnie Bachman, Councillor Peter Mosher, Councillor Matt Risser

Letter: Greetings,

Rename Cornwallis & Creighton Streets in Lunenburg to Honour Mi’kmaq & Black Communities

United Nations Educational, Scientific and Cultural Organization
Canadian Commission for UNESCO
Organisation des Nations Unies pour l'éducation, la science et la culture
Commission canadienne pour l'UNESCO

The Coalition of Inclusive Municipalities is endorsed by

CASHRA ACCCDP
Canadian Association of Statutory Human Rights Agencies
*Association canadienne des commissions et conseil des droits de la personne*

CRRF FCRR
Canadian Race Relations Foundation
Fondation canadienne des relations raciales

# ATTACHMENT B

## Declaration to Join the Coalition of Inclusive Municipalities

*Given that:*

1 The Canadian Commission for UNESCO (United Nations Educational, Scientific and Cultural Organization) is calling on municipalities to join a Coalition of Inclusive Municipalities and to be part of UNESCO's international Coalition launched in 2004; and

2. The Federation of Canadian Municipalities (FCM) endorses the Call for a Coalition of Inclusive Municipalities and encourages its members to join; and

*Whereas:*

3. Municipal governments in Canada, along with other levels of government, have responsibilities under Canada's *Charter of Rights and Freedoms* as well as federal, provincial and territorial human rights codes, and therefore have an important role to play in combating racism and discrimination and fostering equality and respect for all citizens;

*Be it resolved that:*

4. The ***insert the name of the municipality*** agrees to join the Coalition of Inclusive Municipalities and, in joining the Coalition, endorses the Common Commitments and agrees to develop or adapt its own unique Plan of Action accordingly.

5. These Common Commitments and the Municipality's unique Plan of Action will be an integral part of the Municipality's vision, strategies and policies.

6. In developing or adapting and implementing its own unique Plan of Action toward progressive realization of the Common Commitments, the Municipality will cooperate with other organizations and jurisdictions, including other levels of government, Indigenous peoples, public and private sector institutions, and civil society organizations, all of whom have responsibilities in the area of human rights.

7. The Municipality will set its priorities, actions and timelines and allocate resources according to its unique circumstances, and within its means and jurisdiction. The Municipality will exchange its expertise and share best practices with other municipalities involved in the Coalition and will report publicly on an annual basis on actions undertaken toward the realization of these Common Commitments.

***Insert name of the Municipality, insert date*** (month day, year)

***His/Her*** Worship ***insert name of the mayor***

SIGNATURE OF THE MAYOR

COALITION OF INCLUSIVE MUNICIPALITIES
eliminating racism and discrimination
Canadian Commission for UNESCO

Circulated: _____

Document No: 7 (a)
Meeting: HAC – August 25, 2020
Circulate To: Council, BR,
File:

# M E M O R A N D U M

**TO:** **TOWN COUNCIL**

**FROM:** **ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE:** **AUGUST 4, 2020**

**RE:** **PROPOSED AMENDMENTS TO THE HERITAGE PROPERTY ACT**

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## 1. FACTS

### A. Background

The Town has received notice from Communities, Culture and Heritage **(Attachment A)** of two proposed amendments to the Heritage Property Act (HPA) as outlined below:

**1) Removal of Section 18 of the Act, Consideration by municipality of application to alter or demolish:**

This section allows a registered municipal heritage property owner to complete an alteration or demolition which may be contrary to a decision of a municipal council provided that a three-year waiting period has passed since the formal application was made.

**2) New provision proposed to provide authority to the municipality to put in place a pause for a period of time for specific types of development, site specific, while a conservation plan and conservation by-law documents are being prepared for a proposed heritage conservation district or cultural landscape. The municipality would be provided the authority to put the provision in place for up to one year.**

Note the statutory wording for item 2 above has not been provided.

According to their letter (Attachment A), municipalities may provide comments on the proposed changes by September 30th, 2020.

## 2. ISSUES AND OPTIONS

The correspondence notes that these amendments are targeted amendments as two additional items to the amendments made to the Heritage Property Act (Act) passed in 2015 that have yet to be proclaimed. We continue to wait patiently for the Province to release the proposed amendments to the Heritage Conservation Districts (HCD) Regulations.

**Comments concerning Amendment #1- Removal of Section 18:**

Section 17 and 18 of the HPA are attached in **Attachment B**.

I believe the request to delete Section 18 of the HPA originated with HRM. According to their Heritage Planner, Aaron Murnaghan:

> "It is certainly our hope to remove the ability to demolish ANY municipally registered heritage property without Council approval, as is the case in most other Provinces in Canada with heritage legislation. To continue to allow demolitions after three years for previously registered properties would put all of our 495 heritage properties at continued risk of speculation and demolition. We also do not have the resources to re-register individual properties, or to update the original notices on file. My feeling is that any property that is deemed to be registered should have strong and enduring legal protection subject to the will of Council as is the intent of the legislation."

From my experience, it is difficult to assess apples to oranges, as heritage legislation throughout Canada is significantly different, particularly with regards to the relationships between municipal registered heritage properties and provincially registered heritage properties. For example, in Newfoundland, municipal registered heritage properties have greater controls than provincially registered heritage properties. In Nova Scotia, the hierarchy is reversed, whereas provincially registered heritage properties are deemed more significant than municipally registered heritage properties and are therefore regulated with greater controls than municipal registered buildings. In Nova Scotia, if a property owner wished to protect the heritage asset further beyond the municipal registration, the option for provincial registration is available, and would be considered if it qualifies. For example provincially registered heritage properties cannot be demolished or substantially altered without the approval of the Governor in Council. There is no waiting period or cooling-off period. Section 11(1) is outlined below:

> **Approval to alter or demolish**
> 11 (1) Provincial heritage property shall not be substantially altered in exterior or public-building interior appearance or demolished without the approval of the Governor in Council.

The original intent with the one year not more than two years (currently known as the three year not more than 4 years rule) was to provide a waiting period or cooling-off period, that allowed time for Council, citizens and organizations to work with the property owner to see if an alternative solution could be found rather than the proposed demolition or substantial alteration as the case maybe.

The removal of Section 18 will treat all municipal and provincial heritage properties in a similar fashion, whereas the Governor in Council has the ultimate say when it comes to provincially registered properties and whereas the local municipal Council would have the ultimate say when it comes to municipally registered heritage properties.

My main concern is that many of the buildings registered throughout the Province at the municipal level were done voluntarily. They knew the limitation – particularly the one year not more than two year limitation, and many were comfortable registering their properties knowing that if they had to demolish or alter their property at any time in the future, that at the worst, they would only have to wait a year and then proceed with the demolition or alteration as the case may be. The number one complaint I received when the 1 year not more than 2 years was amended to 3 years not more than 4 years was that the rules were changed without any consultation or agreement with the affected property owners. It is like writing an agreement between two parties and having one party change the agreement without the consent of the other. I certainly understood their position.

Many of the Town's Municipal Heritage Properties Notice of Registration, filed at the Land Registration Office, still notes the one year not more than two year limitation as outlined for 10 Falkland Street as shown in **Attachment C**. We, like HRM, do not have the resources to re-register 61 individual registered municipal heritage properties.

To alleviate this concern the Province should consider leaving Section 18 as is for those properties already registered as municipal heritage properties. The province could implement a new provision to provide Council the ability, on a case by case nature, to specify in the Notice of Registration whether the 3 year not more than 4 years applies or whether to provide for Council's ultimate authority for any requests for demolition or substantial alterations to newly registered municipal heritage property provided said regulatory statement is filed in their Notice of Registration filed at the Land Registration Office (Register of Deeds). In this fashion, the property owner will know at the time of Council's approval what provision would apply.

In addition, as many of these properties are voluntarily registered as municipal heritage properties, the proposal to remove Section 18 may affect the number of future municipal heritage registrations requests. Rather than protecting our heritage, the proposed legislation may cause the opposite effect by causing property owners to shy away from having their properties registered.

**Comments concerning Amendment #2:**

Amendment #2 will enable municipalities, by by-law, to place specific developments, site specific, applications on hold for up to a period of 1 year when undertaking a new HCD Plan and By-law or when considering revisions to an existing HCD Plan and By-law. This will enable Council time to draft the provisions of the Plan and By-law without being concerned about the possibility of an unsympathetic development or demolition causing harm to an area being consider for a HCD. The exact wording of this provision has not been provided by Communities, Culture and Heritage, however, it is assumed that municipalities would have the option to use or not use this provision. In light of this, the proposed amendment would be considered to be a positive step forward.

## 3. FINANCIAL IMPACT

This memo is intended to help Council draft comments to Communities, Culture and Heritage within regards to the two proposed amendments to the Heritage Property Act as referenced in their letter dated June 16th, 2020. A draft letter to Communities, Culture

and Heritage for your consideration is attached in **Attachment D**. No financial impacts are anticipated.

## 4. STRATEGIC PLAN RELEVANCE

This project is in keeping with:

*Strategic Plan Goal #5C, Operate Town Business efficiently and effectively to develop and update Town By-laws, Policies, Procedures and plans we will encourage the Provincial government to conduct a full review/update of the MGA with UNSM and Municipal Council's input.*

## 5. RECOMMENDATION AND DRAFT MOTION

It is recommended that Council enables the Mayor to draft comments to Communities, Culture and Heritage regarding the two amendments as outlined in their letter of June 16th, 2020.

*Motion:* Moved by ____, Seconded by ____ that Council authorizes the Mayor to provide comments to Communities, Culture and Heritage regarding the two amendments as outlined in their letter of June 16th, 2020.

A draft letter is outlined in **Attachment D** for consideration.

## ATTACHMENTS:

**A.** Letter from Communities, Culture and Heritage – Dated June 16, 2020
**B.** Section 17 and 18 of the HPA
**C.** Example of Notice of Registration with 1 year not more than 2 year limitation
**D.** Draft letter to Communities, Culture and Heritage.

Acknowledged by:

Bea Renton
Town Manager/Clerk

# ATTACHMENT A

NOVA SCOTIA
Communities, Culture and Heritage
Culture and Heritage Development

1741 Brunswick Street, 3rd Floor
PO Box 456, STN Central
Halifax, NS B3J 2R5
902-424-6393

June 16, 2020

Dear Mayor/Warden:

Government is preparing to proclaim amendments made to the *Heritage Property Act* (*Act*) passed in 2015 following consultation. Since then, our staff have been working on the regulations for the Heritage Conservation Districts and the creation of the regulations for Cultural Landscapes.

I am writing to seek feedback from your municipality on two items that may better support registered municipal heritage properties and areas being considered for a municipal heritage conservation district or cultural landscapes under the *Act*. As explained in the attached overview, the items identified include:

1) **Removal of Section 18 of the *Act*, *Consideration by municipality of application to alter or demolish*:**

   This section allows a registered municipal heritage property owner to complete an alteration or demolition which may be contrary to a decision of a municipal council provided that a three-year waiting period has passed since the formal application was made.

2) **New provision proposed to provide authority to the municipality to put in place a pause for a period of time for specific types of development, site specific, while a conservation plan and conservation by-law documents are being prepared for a proposed heritage conservation district or cultural landscape. The municipality would be provided the authority to put the provision in place for up to one year.**

We would appreciate receiving input on these proposed targeted amendments by September 30, 2020. Please forward all input to Ms. Mary-Louise Hartigan at 902-424-5647 or email to mary.hartigan@novascotia.ca

…./2

Meanwhile, should you or your municipal staff have any questions regarding these two items, please contact Mr. Kevin Barrett, Coordinator, Heritage Property Program, directly at 902-424-6396 or kevin.barrett@novascotia.ca.

Sincerely,



Craig Beaton, Executive Director
Culture and Heritage Development

cc: Ms. Pam Mood, President, Nova Scotia Federation of Municipalities
Ms. Juanita Spencer, Chief Executive Officer, Nova Scotia Federation of Municipalities
Ms. Kathleen Trott, Executive Director, Policy and Corporate Services
Mr. Gordon Smith, Provincial Director of Planning
Mr. Kevin Barrett, Coordinator, Heritage Property Program

Attachment (1)

**Attachment 1**

**Items identified for consideration:**

1. **Removal of Section 18 of the *Act*, *Consideration by municipality of application to alter or demolish*:**

This section allows a registered municipal heritage property owner to complete an alteration or demolition which may be contrary to a decision of a municipal council provided that a three-year waiting period has passed since the formal application was made.

- Section 17 of the *Act* provides authority to municipal council to consider application to alter or demolish a registered municipal heritage property.
- Should municipal council not approve the application, Section 18 of the *Act* provides the property owner authority to alter or demolish their registered municipal heritage property without council's approval in accordance with Section 18(3).
- It has been suggested that the removal of Section 18 from the *Act* would better steward registered municipal heritage properties while maintaining the opportunity to consider applications to alter or demolish a registered municipal heritage property by its municipal council under Section 17.

2. **New provision proposed to provide authority to the municipality to put in place a pause for a period of time for specific types of development, site specific, while a conservation plan and conservation by-law documents are being prepared for a proposed heritage conservation district (HCD) or cultural landscape (CL). The municipality would be provided the authority to put the provision in place for up to one year.**

- Section 19 of the *Heritage Property Act (Act)* provides for the opportunity for a municipality to consider a proposed HCD for part of a municipality.
- Sections 6 and 7 of the *Heritage Conservation District Regulations* require the municipal council to adopt a public participation program and the development of background studies to support the rationale for heritage conservation measures and its specific boundaries for Minister's consideration.
    - Should Minister not require additional information, the municipality can then initiate the public process to prepare the conservation plan and conservation bylaw documents for the proposed HCD.
- While the municipality completes public participation to better support the preparation of the conservation plan and conservation bylaw documents for the proposed HCD, it has been suggested that municipalities may wish to have the authority to put in place a pause on specific types of development, site specific, for up to one year.

**…./2**

**Items identified for consideration**

- It has been suggested that a new provision of the *Act* be developed that would allow, by bylaw, a municipality to suspend specific types of development for up to one year, while the conservation plan and conservation by-law documents for the proposed HCD or CL are being prepared.
    - Other jurisdictions, including Ontario, British Columbia, Manitoba, Quebec and the City of Winnipeg (by-law), provide through legislation similar provisions while an area is under consideration for a proposed HCD.

**ATTACHMENT B**
**Section 17 and 18 of the Heritage Property Act**

**Approval to alter or demolish municipal heritage property**

**17 (1)** Municipal heritage property shall not be substantially altered in exterior or public-building interior appearance or demolished without the approval of the municipality.

**(2)** An application for permission to substantially alter the exterior or public-building interior appearance of or demolish municipal heritage property shall be made in writing to the municipality.

**(3)** Upon receipt of the application, the municipality shall refer the application to the heritage advisory committee for its recommendation.

**(4)** Within thirty days after the application is referred by the municipality, the heritage advisory committee shall submit a written report and recommendation to the municipality respecting the municipal heritage property.

**(5)** The municipality may grant the application either with or without conditions or may refuse it.

**(6)** The municipality shall advise the applicant of its determination. *R.S., c. 199, s. 17; 2010, c. 54, s. 13.*

**Consideration by municipality of application to alter or demolish**

**18 (1)** The municipality may take up to three years to consider an application under Section 17.

**(2)** In its consideration of the application, the municipality may require public notice of the application and information meetings respecting the application to be held.

**(3)** Where the municipality does not approve the application, the property owner may, notwithstanding Section 17, make the alteration or carry out the demolition at any time after three years from the date of the application but not more than four years after the date of the application.

**(4)** Where the property owner has made the alteration or carried out the demolition in accordance with this Section, the municipality may deregister the property if the municipality determines that the property has lost its heritage value. *2010, c. 54, s. 14.*

**FORM B**

**NOTICE OF REGISTRATION OF HERITAGE PROPERTY**

TO: Ms. Roxanne Skerritt
PO Box 399
Lunenburg, NS B0J 2C0

You are hereby notified that as the assessed owner of 10 Falkland Street, Lunenburg, Nova Scotia:

1. The land and building located at 10 Falkland Street, Lunenburg, Nova Scotia, has been registered in the Town Registry of Heritage Property by resolution adopted at a meeting of the Lunenburg Town Council on the 27th day of February, 2003.

2. The effect of registration in the Town Registry of Heritage Property is that no demolition or substantial alteration in the exterior appearance may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Town of Lunenburg and the application is granted with or without conditions. Where an application is not approved, the owner may make the alteration described in his application or carry out the proposed demolition at any time after one year but not more than two years from the date of the application.

DATED this ~~13th~~ 17th day of March, 2003.

Bea Renton,
Town Manager/Clerk

LUNENBURG COUNTY REGISTRY OF DEEDS
I certify that this document was registered as shown here.
Joan Plunkett Registrar

| Document # | Book | Pages |
|---|---|---|
| 1621 | 884 | 616 |

MAR 24 2003 (MM DD YYYY)

10:30AM (Time)

**ATTACHMENT D**
Draft letter to Communities, Culture and Heritage

Communities, Cultural and Heritage
Culture and Heritage Development
c/o Ms. Mary-Louise Hartigan
1741 Brunswick Street, 3rd Floor
PO Box 456, STN Central
Halifax, NS
B3J 2R5

By Email: mary.hartigan@novascotia.ca

**Re: Proposed Amendment to the Heritage Property Act**

On behalf of the Town of Lunenburg I would like to thank you for the opportunity to address the proposed amendments to the Heritage Property Act as outlined in the letter dated June 16th, 2020.

The letter of June 16th, 2020 proposes two additional amendments to the Heritage Property Act. The first amendment deals with the elimination of Section 18 of the Act which currently provides a cooling off period of three years but not more than four years for demolitions or substantial alterations that have not been approved by Council. Originally this was known as one year but not more than two years rule which enabled time for Council, community organizations and other government and NGO's to work with the applicant to find an alternative solution. In many cases however, an alternative solution became the exception and not the norm.

Council does have some concerns with the notion of removing Section 18. Many of our municipal registered heritage properties, if not all, have been voluntary and at the request of the owner. The owners were notified that it they wished to undertake a substantial alteration or demolition, that that could proceed after the waiting period, in cases of Council's refusal to approve. This waiting period is part of the Notice of Registration filed at the Land Registration Office. As with the amendment that changed the one year not more than two years to the three years not more than four years rule, the elimination of Section 18 again changes the rules without the consent or authorization of the individual municipal registered heritage property owner. It is like changing a contract between two parties without both parties agreeing or consenting to the change.

We feel the elimination of Section 18 may be contrary to our goal of preserving our heritage as property owners will shy away from having their properties registered. As an alternative to the removal of Section 18, municipalities should be given the option as to the level of restriction. The province could implement a new provision to provide Council the ability, on a case by case nature, to specify in the Notice of Registration whether the 3 year not more than 4 years applies or whether to provide for Council's ultimate authority for any requests for demolition or substantial alterations to newly registered municipal heritage property provided said regulatory statement is filed in their Notice of Registration filed at the Land Registration Office (Register of Deeds). In this fashion, the property owner will know at the time of Council's approval what provision would apply.

The second amendment will enable municipalities, by by-law, to place specific developments, site specific, applications on hold for up to a period of 1 year when undertaking a new HCD Plan and By-law or when considering revisions to an existing HCD Plan and By-law. This will enable Council time to draft the provisions of the Plan and By-law without being concerned about the possibility of an unsympathetic development or demolition causing harm to an area being consider for a HCD. Municipalities would have the option to use or not use this provision. In light of this, the proposed amendment would be considered to be a positive step forward.

Thank you for the opportunity to address these two amendments to the Heritage Property Act. If you have any questions or comments regarding the above, please do not hesitate to contact us.

Sincerely,

**Schedule "A"**

**TOWN OF LUNENBURG**
**COMMUNITY GRANTS PROGRAM APPLICATION FORM**

Please review the attached Town of Lunenburg Procedural Policy: Community Grants Program before completing this Application. Attach all the additional information requested before submitting your application. Applications must be received by **March 31st**.

Name of Non-Profit Organization: Lunenburg Doc Fest Association

Primary Contact Person: Pamela Segger

Daytime phone number (☐ Work ☐ Cell ☐ Home): 902-523-FILM (3456)

Mailing Address: Box 1951, Lunenburg, NS B0J 2C0

Fax Number: _____ E-mail Address: psegger@lunenburgdocfest.com

Organization Website: www.LunenburgDocFest.com

1. Amount of funding requested: $ 1500.00

   In-kind Town of Lunenburg services requested: _____

2. The organization is a:

   ☐ NS registered society name _____

   ☒ Registered National Charity name/# 81570 7435 RR 0001

   ☐ Other (please describe) _____

3. The geographic area serviced by the organization is: Lunenburg Town & County

4. Please describe, in detail, the specific use of the funds requested. Attach additional sheet if needed.

   See attached answer.

5. How will the community benefit from the funds received?

   See attached answer.

**Please include the following information with your completed application:**

- [x] Financial Statements from your last fiscal year.
- [x] Budget for the current fiscal year.
- [x] Project budget and funding sources summary.
- [x] Previous post grant report confirming use of earlier approved grant monies (if applicable).

I/we, the undersigned, hereby state that, to the best of our knowledge, all information contained in this application form and any attachments are a true representation of our proposed project and I/we will comply with the terms and conditions of an approved Town grant.

| Printed Name of Authorized Representative | Signature of Authorized Representative | Position Held in Organization | Date MM / DD / YY |
|---|---|---|---|
| Pamela Segger | Pamela Segger | Executive Director | 03/29/20 |
| | | | |
| | | | |

Please return this form and all requested information by mail, fax, email or in person to:

**Community Grant Program**
Town of Lunenburg - Finance Director
PO Box 129
119 Cumberland Street
Lunenburg, NS B0J 2C0
(Fax): 902-634-4416, ldagley@explorelunenburg.ca

## Lunenburg Doc Fest 2019 Budget

Ratified: Jan 17, 2020

| | 2018 Actual | 2019 Actual | 2020 Budget |
|---|---|---|---|
| **Sales Revenue** | | | |
| Grants | 37,133 | 77,608 | 76,500 |
| Town of Lunenburg | 1,000 | 1,000 | 1,500 |
| Sponsor | 47,532 | 43,200 | 48,000 |
| Festival Passes | 16,170 | 18,275 | 20,000 |
| Film Passes | 6,514 | 6,190 | 7,225 |
| Ticket Sales | 3,755 | 4,864 | 5,500 |
| Submission Fees | 3,874 | 5,882 | 6,500 |
| Advertising Income | 6,035 | 6,425 | 6,500 |
| Concession Sales | 68 | 22 | 300 |
| Filmmaker Events | - | | 0 |
| Brunch | - | - | - |
| Talks/Lectures | - | - | - |
| Interest Income | 162 | 769 | 501 |
| **Net Sales** | **122,243** | **164,234** | **172,526** |
| | | | |
| **General & Administrative Expenses** | | | |
| Administration - Exec Dir Expense | **24,331** | **39,836** | **44,700** |
| Advertising & Promotions / Travel/Accom | **11,853** | **14,406** | **17,500** |
| Catering - TOTAL | **7,295** | **7,419** | **8,900** |
| Equipment Rental - TOTAL | **9,814** | **7,296** | **11,350** |
| Dues | **735** | **819** | **825** |
| Gifts - TOTAL | **425** | **981** | **1,325** |
| Honararium - TOTAL | **5,022** | **22,652** | **22,400** |
| Interest & Bank Charges | **7** | **218** | **252** |
| Ticket processing fees | - | - | - |
| Paypal & Square Fees | **859** | **914** | **1,100** |
| Insurance | **950** | **1,000** | **1,200** |
| Professional Fees | - | **817** | **0** |
| Consulting Services - TOTAL | **5,755** | **7,645** | **11,025** |
| Legal | **101** | **564** | **500** |
| Bookkeeping & Accounting | **1,634** | **2,091** | **2,550** |
| Box Office - TOTAL | **3,808** | **4,493** | **5,550** |
| Print Advertising | 47 | - | - |
| Printing - Total | **4,711** | **5,278** | **5,575** |
| Screening Fees - TOTAL | **5,295** | **4,198** | **5,250** |
| Subscription & Memberships | - | **355** | **375** |
| Technical Support - Total | **4,838** | **3,573** | **4,475** |
| Venue Rental - Total | **15,540** | **3,134** | **8,650** |
| Air Cost | **4,047** | **4,680** | - |

| | | | |
|---|---|---|---|
| Accommodations & Air - Total | **2,875** | **9,226** | **5,950** |
| Other - Total | **1,027** | **468** | **1,025** |
| Travel & Entertainment - Total | **4,047** | **5,459** | **10,075** |
| Awards - Total | **1,062** | **2,531** | **2,425** |
| Bursary | **1,043** | **0** | **1,050** |
| Miscellaneous | **0** | **295** | **500** |
| **Total General & Admin. Expenses** | **113,025** | **145,667** | **174,527** |
| **TOTAL Surplus/Deficit** | **9,218** | **18,568** | **-2,001** |

## Report for Last Year

The sixth annual Lunenburg Doc Fest was a success. The grant of $1000 from the Town of Lunenburg for the 2019 Festival was used for operations and programming, particularly the rental of the Lunenburg Opera House and marketing materials.

The funding received from the Town of Lunenburg helped ensured the success of the event, which took place from September 19 to 22. Our post festival survey revealed a highly satisfied audience excited to return for another year. Please see the attached infographic for a summary of our findings.

Thank you for you support.

The $1500 requested is for assistance in programming and operating the seventh annual Lunenburg Doc Fest (LDF), September 24 - 27, 2020.

The Festival's largest line item on the annual operating budget is the venue rental very closely followed by the second largest expense of the cinema set up (screen, sound, projector, technicians, etc.). The Lunenburg Opera House rental is a big number but it helps the building stay open. In addition, regular festival costs such as screening fees, box office rental, ticketing processing fees, other equipment rentals, professional services, printing and publicity expenses are unavoidable costs. We would put the Town of Lunenburg grant funds toward the theatre costs and promotion and publicity. We expect a successful seventh edition, which will help ensure the charity remains a viable arts organization that gives back to and enhances our community and the arts in Lunenburg.

The LDF Board of Director's greatest objective is to remain a sustainable arts organization that contributes to the community and cultural hub of Lunenburg. In addition to being fiscally responsible, the organization achieves this goal by presenting a high calibre and diverse program of films and related events, cultivating private and corporate sponsorships, working with local and industry partners and offering an exemplary festival goer experience.

The funding received by the Town of Lunenburg will help ensure LDF continues to attract high quality film submissions, loyal supporters, a range of ages and interests, and a growing audience from Lunenburg County and beyond.

**5. How will the community benefit from the funds received?**

The community will benefit from the funds received as follows:

> The support will help ensure LDF continues to be a sustainable arts organization that contributes to its community and the cultural hub of Lunenburg by way of the following:
>
> present a diverse, entertaining and educational program of films from around the world, including local stories that foster a shared experience and/or sense of pride of community and culture
>
> engage a range of audience members and dialogue across generations, interests, specialties and geographic regions — LDF aims to offer something for everyone
>
> celebrate the art and business of documentary and local filmmaking that contribute to the arts in Lunenburg
>
> serve as a platform to engage and support our community members in meaningful conversation, thus encouraging social contact, active living and wellbeing within our community
>
> make a positive bridge between local youth and the community at large — thus the youth are encouraged to see themselves as valued contributorsto their community and an influence on their cultural environment, resulting in empowerment and a richer sense of belonging

offer educational programs for new and established filmmakers

increase tourism in the shoulder season - in 2019 we had 31% of our audience from out of Lunenburg County (an increase year over year), 13% which were from out of province

economic impact - an increase in local business activity (see testimonies below)

attract industry stakeholders to Lunenburg and stimulate filmmaking in the region via the LDF Atlantic Canada Delegation of 25 producers and directors and international filmmakers participating at the festival

showcase Lunenburg as a place for screen-based media companies to do business, i.e. LDF's The Dock Market brings representatives from CBC (Atlantic and Toronto), National Film Board, Documentary Organization of Canada - Atlantic, Hot Docs International Documentary Festival (Toronto), Women in Film & Television (Atlantic), Mongrel Media (Toronto), NY Times Op Docs (NY), Knowledge Network (Vancouver) and Sideways Films (London)

increase the profile of the Town of Lunenburg through a range of print and digital promotions and marketing missions to Canadian, American and International film festivals (this year this included Toronto, Montreal, Berlin, and Sundance).

**FREE COMMUNITY EVENTS**

In 2020 Lunenburg Doc Fest will offer several Free Community Events which encourage socialization, education and hands-on exposure to the arts:

- Youth Documentary Camp (already happened)
- Seniors Documentary Workshop where they will create a documentary
- Bluenose Academy screenings (2)
- Youth Program: Workshop Showcase, Family Screening, $1000 Youth Bursary
    - Live Musical performance

Other free community events:

LDF Film Club 'n' Pub screenings
LDF National Canadian Film Day screening

**SPONSOR LEVEL**

At the $1500 cash sponsorship level the Town of Lunenburg will receive the following recognition:

- Inclusion in the Sponsorship Community page on the LDF website
- Inclusion in the pre-screening video Sponsor Loop @ over 10 screenings
- Recognition in 2020 Festival e-Newsletter sponsor sidebar
- Dedicated, customized blog post which is highlighted on LDF's Facebook and Twitter pages
- 2 Festival Pass(es) including Opening Night Film & Gala Reception
- Logo and sponsorship acknowledgement in Festival Program Guide (700 printed)

- Advertisement in LDF Festival Program Guide, digital + 700 printed
- Logo on 4 large sponsor banners displayed during festival weekend
- Logo on 2nd run of festival poster
- Logo included on (proposed - TBD) full-page ad in LighthouseNOW

LDF is also committed to offering free and accessible educational, entertaining and/or inspiring events for our community and visitors. Funds for such programming is a combination of public funding, sponsorship and in-kind donations.

**Testimonials for Lunenburg Doc Fest**

*"The Lunenburg Doc Fest is doing tremendous work in the community and CCH/Arts NS is proud to play a role in that."*
Jessica Peddle, Cultural Development Officer for Canada, Culture & Heritage referring to the Youth Workshop and Interactive Arcade

*"I fully believe that Lunenburg Doc Fest is a great cultural event that enhances the local and provincial community, and the festival brings more visitors to Lunenburg and to Lincoln Street Food."*
Paolo Colbertaldo, Lincoln Street Food

*"Doc Fest is one of the best events that has come to Lunenburg and we are very pleased to be able to support you by helping with your ticket sales. The extra revenue for our business that Doc Fest generates is invaluable at a time of year when our tourists are fewer and the "shoulder season" is upon us. This helps us to remain open year round and keep 4 people employed all winter. You have given us a wonderful cultural event that attracts so many people to the Town and we sincerely hope you can continue for many years to come."*
Vicki Buckley, Shop On The Corner — Lunenburg, NS

*"Lunenburg Doc Fest weekend stands out as a busy weekend after Labour Day."*
Michael Higgins, Lunenburg Bound Books & Paper
*"Doc Fest definitely brought people to town. The more people that walk by the door, the more likely that they are to come in."*
Jimmy Myra, Stan's Lad and Dad

"Thank you for this amazing festival, amazing people, this honour and this beautiful town."
*Feras Fayyad, Director, Oscar-nominated LAST MEN IN ALEPPO*
*Standing-room only Atlantic Canadian Premiere*
*FEATURE DOCUMENTARY AWARD*

*"Over the years I have been to many film festivals, but I had no idea that the best one was so close to home. Thank you Lunenburg doc Fest for achieving the perfect mix of documentary films, workshops, hospitality and strong sense of community. I will attend next year for certain!"*
Rachel Bower, Director, LUNENBURG: Where the Land Meets the Sea

"Yes! Lunenburg doc Fest celebrates filmmakers, and really champions the films they select. It is a warm, intimate festival that allows you to meet the other filmmakers, festival organizers, and members of the community at large. It is a festival organized with love and care, with a wonderful diversity of films. It leaves you feeling inspired for a long time after the festival is over."

*Aube Giroux, Director, MODIFIED*
*Sold out Atlantic Canadian Premiere*
*AUDIENCE AWARD & ATLANTIC FILMMAKER AWARD, 2017*

*"Amazing films, wonderful industry opportunities and a great deal of learning! Lunenburg Doc Fest is a long waited-for celebration of the documentary filmmaking in Atlantic Canada."*
Olesya Shyvikova, documentary filmmaker

"A world class festival."
John Walker, documentary filmmaker

# LUNENBURG DOC FEST ASSOCIATION

## Financial Statements

## Year Ended November 30, 2018

*(Unaudited - See Notice To Reader)*

Belliveau Veinotte Inc.
CHARTERED PROFESSIONAL ACCOUNTANTS
Member of The AC Group of Independent Accounting Firms

Belliveau Veinotte Inc.
CHARTERED PROFESSIONAL ACCOUNTANTS
Member of The AC Group of Independent Accounting Firms

PO Box 29
11 Dominion St
Bridgewater NS B4V 2W6
Canada

Tel: 902-543-4278
Fax: 902-543-1818
bridgewater@bvca.ca

www.bvca.ca

## NOTICE TO READER

On the basis of information provided by management, we have compiled the statement of financial position of Lunenburg Doc Fest Association as at November 30, 2018 and the statements of operations and changes in net assets for the year then ended.

We have not performed an audit or a review engagement in respect of these financial statements and, accordingly, we express no assurance thereon.

Readers are cautioned that these statements may not be appropriate for their purposes.

Belliveau Veinotte Inc.
CHARTERED PROFESSIONAL ACCOUNTANTS
Licensed Public Accountants

Bridgewater, Nova Scotia
April 5, 2019

# LUNENBURG DOC FEST ASSOCIATION

## Statement of Financial Position

## November 30, 2018

*(Unaudited - See Notice To Reader)*

| | 2018 | 2017 |
|---|---|---|
| **ASSETS** | | |
| Current | | |
| Cash and cash equivalents | $ 52,633 | $ 37,662 |
| Accounts receivable | 5,279 | 229 |
| HST recoverable | 4,046 | 4,505 |
| Prepaid expenses | 57 | - |
| | 62,015 | 42,396 |
| Internally restricted cash and cash equivalents *(Note 1)* | 15,000 | 15,000 |
| | $ 77,015 | $ 57,396 |
| **LIABILITIES** | | |
| Current | | |
| Accounts payable and accrued liabilities | $ 15,403 | $ 8,545 |
| Deferred revenue | 3,548 | - |
| | 18,951 | 8,545 |
| **NET ASSETS** | | |
| Internally restricted *(Note 1)* | 15,000 | 15,000 |
| Unrestricted | 43,064 | 33,851 |
| | 58,064 | 48,851 |
| | $ 77,015 | $ 57,396 |

**ON BEHALF OF THE BOARD**

_____ *Director* _____ *Director*

See accompanying notes to the financial statements

# LUNENBURG DOC FEST ASSOCIATION

## Statement of Operations

## Year Ended November 30, 2018

*(Unaudited - See Notice To Reader)*

| | 2018 | 2017 |
|---|---|---|
| **REVENUE** | | |
| Advertising | $ 6,035 | $ 4,800 |
| Concession sales | 68 | 199 |
| Festival passes | 16,170 | 12,820 |
| Film passes | 6,514 | 6,366 |
| Grants | 38,133 | 77,556 |
| Interest income | 162 | 385 |
| Sponsors | 47,532 | 44,840 |
| Submission fees | 3,874 | 4,219 |
| Ticket sales | 3,755 | 3,888 |
| | 122,243 | 155,073 |
| **EXPENDITURES** | | |
| Accommodations | 2,875 | 6,053 |
| Administration | 24,331 | 16,225 |
| Advertising and promotions | 11,853 | 4,725 |
| Awards | 1,062 | 263 |
| Bookkeeping and accounting | 1,634 | 2,204 |
| Bursary | 1,043 | 2,038 |
| Catering | 7,295 | 5,461 |
| Consulting services | 5,755 | 8,682 |
| Dues | 735 | 250 |
| Equipment rentals | 9,814 | 16,392 |
| Film maker expenses | 5,022 | 25,901 |
| Gifts | 425 | 466 |
| Insurance | 950 | 1,000 |
| Interest and bank charges | 7 | 177 |
| Legal fees | 101 | 1,012 |
| Office expenses | 3,808 | 3,296 |
| Other | 1,027 | 2,909 |
| Paypal fees | 859 | 233 |
| Printing | 4,711 | 6,163 |
| Screening fees | 5,295 | 3,532 |
| Subscription and memberships | - | 374 |
| Technical support | 4,838 | 2,263 |
| Ticket processing fees | - | 461 |
| Travel | 4,047 | 10,029 |
| Venue rentals | 15,540 | 14,159 |
| | 113,027 | 134,268 |
| **EXCESS OF REVENUE OVER EXPENDITURES FOR THE YEAR** | $ 9,216 | $ 20,805 |

See accompanying notes to the financial statements

## LUNENBURG DOC FEST ASSOCIATION
## Statement of Changes in Net Assets
## Year Ended November 30, 2018
*(Unaudited - See Notice To Reader)*

| | Internally Restricted | Unrestricted | 2018 | 2017 |
|---|---|---|---|---|
| **NET ASSETS - BEGINNING OF YEAR** | $ 15,000 | $ 33,851 | **$ 48,851** | $ 28,046 |
| Excess of revenue over expenditures | - | 9,213 | **9,213** | 20,805 |
| **NET ASSETS - END OF YEAR** | $ 15,000 | $ 43,064 | **$ 58,064** | $ 48,851 |

See accompanying notes to the financial statements

1. INTERNALLY RESTRICTED CASH

During the 2016 year, the Board of Directors internally restricted funds of $15,000 to be held for acquisition of audio visual equipment, unanticipated venue expenses and other capital/contingency reserve purposes. These internally restricted amounts are not available for other purposes without the approval of the Board of Directors.

**Schedule "A"**

## TOWN OF LUNENBURG
## COMMUNITY GRANTS PROGRAM APPLICATION FORM

Please review the attached Town of Lunenburg Procedural Policy: Community Grants Program before completing this Application. Attach all the additional information requested before submitting your application. Applications must be received by **March 31st**.

South Shore Fieldhouse Society ~ HB Studios Sports Centre

Name of Non-Profit Organization: _____

Shelly Skinner

Primary Contact Person: _____

902 543 5348 (Work)

Daytime phone number (☐ Work ☐ Cell ☐ Home): _____

100 High St., Suite 115, Bridgewater, Nova Scotia B4V 1V9

Mailing Address: _____

manager@hbssc.ca

Fax Number: _____ E-mail Address: _____

hbssc.ca

Organization Website: _____

3582.25

1. Amount of funding requested: $ _____

   In-kind Town of Lunenburg services requested: _____

2. The organization is a:

   South Shore

   ☐ NS registered society name _____

   ☐ Registered National Charity name/# _____

   ☐ Other (please describe) _____

3. The geographic area serviced by the organization is: The South Shore Of Nova

4. Please describe, in detail, the specific use of the funds requested. Attach additional sheet if needed.

   Please see the attached.

5. How will the community benefit from the funds received?

   Please see the attached.

**Please include the following information with your completed application:**

☐ Financial Statements from your last fiscal year.

☐ Budget for the current fiscal year.

☐ Project budget and funding sources summary.

☐ Previous post grant report confirming use of earlier approved grant monies (if applicable).

I/we, the undersigned, hereby state that, to the best of our knowledge, all information contained in this application form and any attachments are a true representation of our proposed project and I/we will comply with the terms and conditions of an approved Town grant.

| Printed Name of Authorized Representative | Signature of Authorized Representative | Position Held in Organization | Date MM / DD / YY |
|---|---|---|---|
| Shelly Skinner | Shelly Skinner | Facility Coordinator | 09/05/20 |
| | | | |
| | | | |

Please return this form and all requested information by mail, fax, email or in person to:

**Community Grant Program**
Town of Lunenburg - Finance Director
PO Box 129
119 Cumberland Street
Lunenburg, NS B0J 2C0
(Fax): 902-634-4416, ldagley@explorelunenburg.ca

| Revenue | | January | February | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Tenant Rent | 902 Athletics Ltd. | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 2,000 | $ 2,000 | $ 12,000 |
| | Plan A Dance Centre | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 1,000 | $ 10,000 |
| | B' water Judo Club | $ 525 | $ 525 | $ - | | | | | | $ 525 | $ 525 | $ 525 | $ 525 | $ 2,100 |
| | Shaelynn E./Rachel J. | $ 800 | $ 800 | $ 800 | $ 200 | $ 200 | $ 200 | $ 800 | $ 800 | $ 800 | $ 800 | $ 800 | $ 800 | $ 6,200 |
| Track | | $ 6,226 | $ 3,759 | $ 4,243 | $ 2,594 | | | | | | $ 1,200 | $ 3,500 | $ 3,236 | $ 14,773 |
| Field Rental | | $ 6,071 | $ 14,148 | $ 12,431 | $ 5,846 | | | | | | $ 5,590 | $ 6,995 | $ 21,496 | $ 52,358 |
| Meeting room | | $ 1,390 | $ 437 | $ 157 | | | | | | | $ 710 | $ 921 | $ 121 | $ 1,909 |
| Sponsorship/Advertising/donations | | | $ 5,450 | $ 500 | $ 2,204 | $ 1,275 | $ 2,125 | | | | | $ 8,163 | $ 982 | $ 6,104 |
| Covid 19 Programs | Federal Small Business Loan | | | | $ 40,000 | | | | | | | | | $ 40,000 |
| | Provincial Small Business Grant | | | | $ 3,863 | | | | | | | | | $ 3,863 |
| | 75% Wage Subsidy | | | | | | | | $ 6,848 | | | | | $ 6,848 |
| | CECRA (Fed Rent Assitance) | | | | | | | | $ 1,200 | | | | | $ 1,200 |
| Grants | MODC | | | | | $ 2,500 | | | | | | | | $ 2,500 |
| | NS Covid Re Opening Grant | | | | | | $ 3,900 | | | | | | | $ 3,900 |
| | NS Student Skills | | | | | | | | $ 4,459 | $ - | | | | $ 4,459 |
| canteen | | $ 1 | $ 86 | $ 17 | | | | | | | $ 20 | $ 20 | $ 10 | $ 67 |
| Special Events (ie. Healthy Living Fair) | | $ 217 | $ 348 | | $ 435 | | | | | | $ 3,400 | $ 800 | $ 800 | $ 5,435 |
| **Total Revenue** | | **$ 17,230** | **$ 27,553** | **$ 20,148** | **$ 57,142** | **$ 5,975** | **$ 8,225** | **$ 2,800** | **$ 15,307** | **$ 3,325** | **$ 14,245** | **$ 24,724** | **$ 30,970** | **$ 173,716** |

| Expenditures | | January | February | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Loan Payment | | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 4,203 | $ 42,030 |
| Renovation Loan | | $ 226 | $ 226 | $ 226 | $ 226 | $ 226 | $ 226 | $ 226 | $ 226 | $ 226 | $ 226 | $ 226 | $ 226 | $ 2,260 |
| Interest and Bank Charges | | $ 120 | $ 127 | $ 733 | $ 145 | $ 120 | $ 120 | $ 120 | $ 120 | $ 120 | $ 120 | $ 120 | $ 136 | $ 1,854 |
| Moneris Merchant Charges | | $ 87 | | $ 115 | $ 72 | $ 70 | $ 75 | $ 76 | $ 79 | $ 70 | $ 79 | $ 116 | $ 122 | $ 874 |
| Salaries | | $ 5,978 | $ 6,495 | $ 6,101 | $ 5,042 | $ 3,375 | $ 3,375 | $ 3,375 | $ 3,375 | $ 3,375 | $ 5,000 | $ 6,826 | $ 8,182 | $ 48,026 |
| Summer Student Skills Program | | | | | | $ 910 | $ 1,820 | $ 1,820 | $ 1,820 | | | | | $ 6,370 |
| WCCB | | $ 51 | $ 55 | $ 52 | $ 43 | $ 50 | $ 50 | $ 50 | $ 50 | $ 50 | $ 50 | $ 65 | $ 80 | $ 540 |
| EI | | $ 132 | $ 144 | $ 135 | $ 112 | $ 112 | $ 112 | $ 112 | $ 112 | $ 112 | $ 132 | $ 155 | $ 550 | $ 1,644 |
| CPP | | $ 226 | $ 250 | $ 224 | $ 249 | $ 144 | $ 144 | $ 144 | $ 144 | $ 144 | $ 250 | $ 250 | $ 1,019 | $ 2,712 |
| Insurance | | $ 1,068 | $ 1,068 | $ 1,068 | $ 1,068 | $ 1,068 | $ 1,068 | $ 1,068 | $ 1,068 | $ 1,068 | $ 1,068 | $ 2,018 | $ 1,068 | $ 11,630 |
| Power | | | $ 12,738 | | $ 15,336 | | $ 4,965 | | $ 3,237 | | $ 3,200 | | $ 4,500 | $ 31,238 |
| office supplies/Courier/Postage | | $ 70 | $ 362 | $ 270 | $ 120 | $ 100 | $ 400 | $ 100 | $ 100 | $ 50 | $ 40 | $ 218 | $ 127 | $ 1,525 |
| Special Events | | | | $ 65 | | | | | | | $ 1,200 | | | $ 1,265 |
| Internet/Phone | | $ 133 | $ 133 | $ 133 | $ 133 | $ 133 | $ 133 | $ 133 | $ 133 | $ 133 | $ 133 | $ 135 | $ 133 | $ 1,332 |
| Advertisement- rec Guides and other promotion | | $ 830 | $ 3 | $ 284 | | | $ 300 | | | $ 692 | | | $ 359 | $ 1,635 |
| Canteen | | | | $ 120 | | | | | | | | | | |
| Business Fees/Licensing | | $ 31 | $ 92 | $ 14 | $ 80 | | $ 58 | | | | | | $ 31 | $ 183 |
| Miscellaneous | | $ 12 | $ 90 | $ 94 | | | | | | | | | $ 134 | $ 228 |
| Maintenance | Rentokil | $ 79 | $ 70 | $ 70 | $ 70 | $ 70 | $ 70 | $ 70 | $ 70 | $ 70 | $ 70 | $ 70 | $ 139 | $ 769 |
| | Garbage removal | $ 176 | $ 176 | $ 133 | | | $ 100 | $ 100 | $ 100 | $ 100 | $ 170 | $ 170 | $ 170 | $ 1,043 |
| | Dave's Vacuum | $ 345 | $ 490 | $ 285 | $ 57 | | | | | $ 146 | $ 150 | $ 150 | $ 435 | $ 1,223 |
| | cleaning | | $ 310 | $ 170 | $ 300 | $ 200 | $ 200 | $ 100 | $ 100 | $ 146 | $ 96 | $ 64 | $ 24 | $ 1,400 |
| | water and sewage | | $ 197 | $ 687 | $ 687 | | $ 592 | | | $ 1,518 | | | $ 559 | $ 4,043 |
| | Building Maintenance | $ 408 | $ 197 | $ 1,678 | $ 100 | $ 900 | $ 400 | $ 200 | $ - | $ 500 | $ 2,000 | $ 200 | | $ 5,978 |
| Alarm Monitoring | ADT Security | | | $ 533 | $ 614 | | | | | $ 214 | | | | $ 1,361 |
| | CKG Elevator Ltd | | | $ 242 | | | | | | | | $ 230 | | $ 472 |
| Inspections | Fire Inspection | | $ 226 | | $ 1,532 | | | | | | | | | $ 1,532 |
| HST | | | | | | | | $ 1 | | | $ 500 | | | $ 501 |
| **Total Expenditure** | | **$ 14,175** | **$ 27,651** | **$ 17,635** | **$ 30,189** | **$ 11,681** | **$ 18,411** | **$ 11,898** | **$ 14,937** | **$ 12,937** | **$ 18,687** | **$ 15,216** | **$ 22,197** | **$ 173,668** |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Surplus/Deficit** | | | | **$ 2,513** | **$ 26,953** | **-$ 5,706** | **-$ 10,186** | **-$ 9,098** | **$ 370** | **-$ 9,612** | **-$ 4,442** | **$ 9,508** | **$ 8,773** | **$ 48** |

4. Please describe, in detail, the specific use of the funds requested. Attach additional sheet if needed.

Due to Covid19 we had a substantial loss in revenue. The losses from May to June was $44, 539.92. This completely changed our upward trajectory and we now need to find ways to bring community groups and participants back to our facility to enjoy an active, healthy lifestyle within the current government regulations and social distancing.

Traditionally; HB Studios Sports Centre rented field time and space to outside organizations and sports groups but due to the current regulations sports organizations are limited to how many can participate; so there are fewer bookings therefore HB Studios Sports Centre needs to diversify and expand our offerings so that we can navigate through this tough time.

The funds from the Town of Lunenburg will enable us to purchase a 9-hole mini golf putting mat set which will help us offer a safe, active activity in our facility.

5. How will the community benefit from the funds received?

Golf is a sport that all people can play. It encourages socialization but appropriate social distancing can still occur. Currently; there is no other option in our area to offer golf in the fall, winter and spring.

This golf equipment will allow very diverse programming and can be used by all community members regardless of age or ability. Special Olympics come in to play Bocce ball and this would allow them the option to switch up their activities. We can host family days and special events and offer programming for youth and seniors. We can offer the equipment to schools and we can offer it to businesses for teambuilding and have it available as a birthday party option.

Many residents of Lunenburg, Bridgewater, Mahone Bay and surrounding areas will be able to enjoy golf during the off season for their clubs, many others will get to experience playing golf and be inspired to pick up the sport in the summer months at the various clubs such as Bluenose Golf Club in Lunenburg.

Golf is a sport that encourages the development of etiquette, social engagement and is physically demanding which will be great for the health and well-being of all the participants and the residents of our communities!

## Budget and Funding Sources Summary

**(ANTICIPATED) TOWN OF LUNENBURG:**

| | | |
|---|---|---|
| **9 HOLE MINI GOLF MAT SET** | **SUBTOTAL:** | **$ 3582.25** |

**(ANTICIPATED) NS SPORT FUND:**

| | | |
|---|---|---|
| **SETS OF CLUBS (24 EACH YOUTH/ WOMENS AND MENS)** | | **$ 1286.00** |
| **YOUTH PUTTING SKILLS SET** | | **$ 427.00** |
| **BAG OF BALLS** | | **$ 119.00** |
| **SOFT BALLS** | | **$ 12.50** |
| **3 GOLF GREEN TRAINING MATS** | | **$ 1133.85** |
| **4 DRIVING MATS** | | **$ 274.00** |
| | **SUBTOTAL:** | **$ 3740.20** |

**IN KIND**

| | | |
|---|---|---|
| **INSTRUCTORS FEES** | | **$ 720.00** |
| **FIELD TIME** | | **$ 3240.00** |
| **PROMOTION/ ADVERTISEMENT** | | **$ 100.00** |
| | **SUBTOTAL:** | **$ 4060.00** |

**REVENUE:**

| | | |
|---|---|---|
| **12 WEEK PROGRAM (FOR 2 AGE GROUPS)** | **TOTAL** | **$ 2400.00** |

# SOUTH SHORE FIELDHOUSE SOCIETY

## Financial Statements

## Year Ended September 30, 2019

Belliveau Veinotte Inc.
CHARTERED PROFESSIONAL ACCOUNTANTS
Member of The AC Group of Independent Accounting Firms

Belliveau Veinotte Inc.
CHARTERED PROFESSIONAL ACCOUNTANTS
Member of The AC Group of Independent Accounting Firms

PO Box 29
11 Dominion St
Bridgewater NS B4V 2W6
Canada

Tel: 902-543-4278
Fax: 902-543-1818
bridgewater@bvca.ca

www.bvca.ca

# INDEPENDENT PRACTITIONER'S REVIEW ENGAGEMENT REPORT

To the Members of South Shore Fieldhouse Society

We have reviewed the accompanying financial statements of South Shore Fieldhouse Society which comprise the statement of financial position as at September 30, 2019 and the statements of operations, changes in net deficit and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

*Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

*Practitioner's Responsibility for the Financial Statements*

Our responsibility is to express a conclusion on the accompanying financial statements based on our review. We conducted our review in accordance with Canadian generally accepted standards for review engagements, which require us to comply with relevant ethical requirements.

A review of financial statements in accordance with Canadian generally accepted standards for review engagements is a limited assurance engagement. The practitioner performs procedures, primarily consisting of making inquiries of management and others within the entity, as appropriate, and applying analytical procedures, and evaluates the evidence obtained.

The procedures performed in a review are substantially less in extent than, and vary in nature from, those performed in an audit conducted in accordance with Canadian generally accepted auditing standards. Accordingly, we do not express an audit opinion on these financial statements.

*Conclusion*

Based on our review, nothing has come to our attention that causes us to believe that these financial statements do not present fairly, in all material respects, the financial position of South Shore Fieldhouse Society as at September 30, 2019, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Belliveau Veinotte Inc.

Bridgewater, Nova Scotia
April 28, 2020

CHARTERED PROFESSIONAL ACCOUNTANTS

**SOUTH SHORE FIELDHOUSE SOCIETY**
**Statement of Financial Position**
**September 30, 2019**

| | 2019 | 2018 |
|---|---|---|
| **ASSETS** | | |
| Current | | |
| Accounts receivable | **$ 5,311** | $ - |
| HST recoverable | **6,317** | - |
| Prepaid expenses | **5,900** | 900 |
| | **17,528** | 900 |
| Capital assets *(Note 4)* | **2,084,596** | 2,174,181 |
| | **$ 2,102,124** | $ 2,175,081 |
| **LIABILITIES** | | |
| Current | | |
| Bank indebtedness *(Note 5)* | **$ 18,978** | $ 68,114 |
| Accounts payable | **6,213** | 6,059 |
| Employee deductions payable | **24** | 1,775 |
| HST payable | **-** | 2,807 |
| Security deposits | **-** | 3,304 |
| Current portion of long term debt *(Note 6)* | **329,370** | 364,555 |
| Due to directors, non-interest bearing, no set terms of repayment | **37,000** | 42,000 |
| | **391,585** | 488,614 |
| Deferred contributions related to capital assets *(Note 7)* | **1,820,138** | 1,895,977 |
| | **2,211,723** | 2,384,591 |
| **NET DEFICIT** | | |
| Unrestricted | **(109,599)** | (209,510) |
| | **$ 2,102,124** | $ 2,175,081 |

SUBSEQUENT EVENTS *(Note 11)*

**ON BEHALF OF THE BOARD**



_____ *Director*



_____ *Director*

See accompanying notes to the financial statements

**SOUTH SHORE FIELDHOUSE SOCIETY**
**Statement of Operations**
**Year Ended September 30, 2019**

| | 2019 | 2018 |
|---|---|---|
| **FACILITY REVENUE** | | |
| Rental income | $ **134,794** | $ 104,602 |
| Track fees | **30,041** | 23,521 |
| Merchandise sales | **630** | 240 |
| Advertising revenue | **935** | 250 |
| Miscellaneous revenue | **12,345** | 1,337 |
| | **178,745** | 129,950 |
| **GRANTS, CONTRIBUTIONS AND DONATIONS** | | |
| Amortization of deferred contributions *(Note 7)* | **75,839** | 78,999 |
| Operating grant | **37,681** | 5,001 |
| Corporate and individual donations | **70,175** | 43,855 |
| Contributed services | **5,200** | 5,200 |
| | **188,895** | 133,055 |
| **EXPENDITURES** | | |
| Advertising and promotion | **2,240** | 1,002 |
| Amortization of capital assets | **89,587** | 93,882 |
| Business taxes, licenses and memberships | **384** | 179 |
| Equipment and freight | **2,870** | 2,253 |
| Insurance | **12,944** | 11,441 |
| Interest and bank charges | **7,766** | 6,813 |
| Interest on long term debt | **17,642** | 24,390 |
| Land rental | **1** | 1 |
| Office | **643** | 886 |
| Professional fees | **12,550** | 11,002 |
| Purchases | **307** | 68 |
| Repairs and maintenance | **9,689** | 8,970 |
| Salaries, wages and employee benefits | **56,671** | 83,476 |
| Telephone | **1,608** | 1,604 |
| Travel | **536** | - |
| Utilities | **52,291** | 46,157 |
| | **267,729** | 292,124 |
| **EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES FOR THE YEAR** | $ **99,911** | $ (29,119) |

See accompanying notes to the financial statements

**SOUTH SHORE FIELDHOUSE SOCIETY**
**Statement of Changes in Net Deficit**
**Year Ended September 30, 2019**

| | 2019 | 2018 |
|---|---|---|
| **NET DEFICIT - BEGINNING OF YEAR** | **$ (209,510)** | $ (180,391) |
| Excess (deficiency) of revenue over expenditures | **99,911** | (29,119) |
| **NET DEFICIT - END OF YEAR** | **$ (109,599)** | $ (209,510) |

See accompanying notes to the financial statements

**SOUTH SHORE FIELDHOUSE SOCIETY**
**Statement of Cash Flows**
**Year Ended September 30, 2019**

| | 2019 | 2018 |
|---|---|---|
| **OPERATING ACTIVITIES** | | |
| Excess (deficiency) of revenue over expenditures | **$ 99,911** | $ (29,119) |
| Items not affecting cash: | | |
| Amortization of capital assets | **89,587** | 93,882 |
| Amortization of deferred contributions | **(75,839)** | (78,999) |
| | **113,659** | (14,236) |
| Changes in non-cash working capital: | | |
| Accounts receivable | **(5,311)** | 2,083 |
| Employee remittance receivable | **-** | 1,826 |
| Receipt of contributions receivable | **-** | 5,000 |
| Prepaid expenses | **(5,000)** | (900) |
| Accounts payable | **152** | (6,028) |
| Employee deductions payable | **(1,751)** | 360 |
| HST payable | **(9,124)** | 1,594 |
| Security deposits | **(3,304)** | 3,304 |
| | **(24,338)** | 7,239 |
| Cash flow from (used by) operating activities | **89,321** | (6,997) |
| **FINANCING ACTIVITIES** | | |
| Advances from directors | **(5,000)** | (500) |
| Proceeds from long term financing | **329,370** | - |
| Repayment of long term debt | **(364,555)** | (52,464) |
| Cash flow used by financing activities | **(40,185)** | (52,964) |
| **INCREASE (DECREASE) IN CASH FLOW** | **49,136** | (59,961) |
| Deficiency - beginning of year | **(68,114)** | (8,153) |
| **DEFICIENCY - END OF YEAR** | **$ (18,978)** | $ (68,114) |

See accompanying notes to the financial statements

1. PURPOSE OF SOCIETY

South Shore Fieldhouse Society is incorporated under the Nova Scotia Societies Act and is engaged in the management of a Fieldhouse facility for the community of the South Shore of Nova Scotia.

2. BASIS OF PRESENTATION

The financial statements were prepared in accordance with Canadian accounting standards for not-for-profit organizations.

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Accounting estimates

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the period. Such estimates are periodically reviewed and any adjustments necessary are reported in earnings in the period in which they become known. Actual results could differ from these estimates.

Revenue recognition

The Society follows the deferral method of accounting for contributions. Restricted contributions are recognized as revenue in the year in which the related expenditures are incurred. Unrestricted contributions are recognized as revenue when received or receivable, if the amount to be received can be reasonably estimated and collection is reasonably assured.

Grants and contributions restricted for the purchase of capital assets are deferred and amortized as revenue on the same basis as the amortization expense related to the acquired asset.

Rental and other facility revenue are recognized at the time of sale to the customer, when recovery is reasonably certain.

Cash

Bank balances, including bank overdrafts with balances that fluctuate from positive to overdrawn, are presented under cash.

Capital assets

Capital assets are stated at cost or deemed cost less accumulated amortization. Capital assets are amortized over their estimated useful lives on a declining balance basis at the following rates:

| | |
|---|---|
| Buildings | 4% |
| Equipment | 20% |
| Computer equipment | 55% |
| Furniture and fixtures | 20% |
| Paving | 8% |

*(continues)*

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES *(continued)*

Financial instruments policy

Financial instruments are recorded at fair value when acquired or issued. In subsequent periods, financial assets are reported at amortized cost, and tested for impairment at each reporting date.

Transaction costs on the acquisition, sale, or issue of financial instruments which are subsequently reported at fair value are expensed when incurred.

Financial assets measured at amortized cost include cash and accounts receivable.

Financial liabilities measured at amortized cost include bank indebtedness, accounts payable and accrued liabilities, and long term debt.

4. CAPITAL ASSETS

| | Cost | Accumulated amortization | **2019 Net book value** | 2018 Net book value |
|---|---|---|---|---|
| Buildings | $ 3,194,999 | $ 1,136,667 | **$ 2,058,332** | $ 2,144,095 |
| Equipment | 44,188 | 37,988 | **6,200** | 7,749 |
| Computer equipment | 1,160 | 1,156 | **4** | 8 |
| Furniture and fixtures | 25,719 | 22,501 | **3,218** | 4,023 |
| Paving | 35,343 | 18,501 | **16,842** | 18,306 |
| | $ 3,301,409 | $ 1,216,813 | **$ 2,084,596** | $ 2,174,181 |

5. BANK INDEBTEDNESS

The Society has an authorized operating line of credit with the Bank of Montreal of $20,000, which bears interest at prime + 0.80% per annum. The Society also has a Bank of Montreal corporate credit card with an authorized limit of $10,000. Both facilities are secured as detailed in Note 6.

6. LONG TERM DEBT

| | **2019** | 2018 |
|---|---|---|
| Bank of Montreal loan bearing interest at 6.25% per annum, repayable in monthly blended payments of $6,405. The loan matured on May 31, 2019. | **$ -** | $ 361,555 |
| South Shore District Soccer Association non-interest bearing loan, repayable in annual payments of $3,000. The loan matured on March 14, 2019. | **-** | 3,000 |

*(continues)*

6. LONG TERM DEBT *(continued)*

| | 2019 | 2018 |
|---|---|---|
| Bank of Montreal demand loan bearing interest at prime plus 0.8% per annum, repayable in interest only payments until December 31, 2019 and then monthly blended payments of $4,203 beginning January 31, 2020. The loan matures on November 30, 2027. The Bank of Montreal credit facilities are secured by a general security agreement, assignment of insurance and a registered collateral mortgage in the amount of $1,000,000 on property at 543 Glen Allan Drive, Bridgewater, Nova Scotia with a net book value of $2,058,332. | **329,370** | - |
| | **329,370** | 364,555 |
| Amounts payable within one year | **(329,370)** | (364,555) |
| | **$ -** | $ - |

7. DEFERRED CONTRIBUTIONS

Deferred contributions related to capital assets represents funding of $2,401,711 received from the Federal, Provincial and various Municipal governments and $590,409 received from corporate and individuals. Funding received was used for the construction of the building, which is amortized on 4% declining balance, and for the purchase of equipment, which is amortized on a 20% declining balance.

Changes in the deferred contributions balance are as follows:

| | Government Deferred | Other Deferred | 2019 | 2018 |
|---|---|---|---|---|
| Balance - beginning of year | $ 1,521,860 | $ 374,117 | **$ 1,895,977** | $ 1,974,976 |
| Less: amortization of deferred contributions | (60,874) | (14,965) | **(75,839)** | (78,999) |
| Balance - end of year | $ 1,460,986 | $ 359,152 | **$ 1,820,138** | $ 1,895,977 |

8. LEASE COMMITMENT

The Society leases land under a long term lease that expires on November 30, 2027. Under the lease, the Society is required to pay a base rent of $1 for the first twenty-year term with the expectation that the land use will continue on said lands for a minimum of 10 additional years.

9. TAXATION

The Society is exempt from income tax under Section 149 of the Income Tax Act of Canada.

10. COMPARATIVE FIGURES

Some of the comparative figures have been reclassified to conform to the current year's presentation.

## 11. SUBSEQUENT EVENTS

The following events occurred subsequent to the fiscal year end:

COVID-19

Since December 31, 2019, the outbreak of the novel strain of coronavirus, specifically identified as "COVID-19", has resulted in governments worldwide enacting emergency measures to combat the spread of the virus. These measures, which include the implementation of travel bans, self-imposed quarantine periods, social and physical distancing, have caused material disruption to businesses globally resulting in an economic slowdown. Global equity markets have experienced significant volatility and weakness. Governments and central banks have reacted with significant monetary and fiscal interventions designed to stabilize economic conditions. The duration and impact of the COVID-19 outbreak is unknown at this time, as is the efficacy of the government and central bank interventions. It is not possible to reliably estimate the length and severity of these developments and the impact on the financial results and condition of the Society in future periods.

Financing

In October 2019, the Society obtained a $18,000 demand loan to assist with additional renovations to the facility. The loan bears interest at prime plus 0.8% per annum.

## 12. FINANCIAL INSTRUMENTS

The Society is exposed to various risks through its financial instruments and has a comprehensive risk management framework to monitor, evaluate and manage these risks. The following analysis provides information about the Society's risk exposure and concentration as of September 30, 2019.

Credit risk

Credit risk arises from the potential that a counter party will fail to perform its obligations. The Society is exposed to credit risk from accounts receivable and contributions receivable. The Society assesses, on a continuous basis, amounts receivable on the basis of amounts it is virtually certain to receive.

Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities. The Society is exposed to this risk mainly in respect of its receipt of funds from its customers and other related sources, bank indebtedness, long term debt and accounts payable.

Interest rate risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Society is exposed to interest rate risk on its fixed and floating interest rate financial instruments. Fixed-rate instruments subject the Society to a fair value risk while the floating-rate instruments subject it to a cash flow risk. In seeking to minimize the risks from interest rate fluctuations, the Society manages exposure through its normal operating and financing activities.

Circulated: _____

Document No: 5
Meeting: Council July 28, 2020
Circulate To: Council, BR, JL, JM, PB
File: Water/Wastewater - General

# M E M O R A N D U M

**TO:** **TOWN COUNCIL**

**FROM:** **PETER BAKER, PUBLIC WORKS SUPERINTENDENT, JOHN LOHNES, TAYLOR ROMBAUT AND JOHN MADER, WATER RESOURCE OPERATORS**

**DATE:** **JUNE 29, 2020**

**RE:** **MAY 2020 WATER AND WASTEWATER QUALITY TEST RESULTS**

## 1. FACTS

The Nova Scotia Environment "Approval" documents to operate both for the Water Treatment Plant (Class II water treatment facility) and the Wastewater Treatment Plant (Class II wastewater treatment facility) require that certain tests be carried out to verify the quality of treated water and wastewater at the respective plants. There are also Federal testing standards. Routine testing is conducted both in Town labs at each plant and independently certified labs to determine compliance levels with both the Provincial and Federal standards. If any test result exceeds the standards then explanations are provided. This report provides a monthly summary of these results.

At the end of each year an annual report is also prepared for both treatment plants and filed with the Provincial and Federal governments.

## 2. ISSUES AND OPTIONS

### Wastewater Treatment Plant

The Provincial Approval to operate requires that treated wastewater be tested a minimum of five times per month (once per week) for:

- biochemical oxygen demand (BOD maximum 20 mg/L);
- suspended solids (SS maximum 20 mg/L); and
- fecal coliform (maximum 1000 counts/100 mls).

pH (between 6.5 - 9.0) is tested daily (five times per week).

Disinfection is required to be continuous with the use of UV lights.

The Approval document further states that the facility is considered to be “in compliance with effluent limitations if 80% of the sample test results, at the frequency and number specified…meet the specified limit(s)...No single test result can be greater than two times the limits”.

The Town is also required to comply with the Federal Environment Canada Wastewater Systems Effluent Regulations. We test treated water from the Wastewater Treatment Plant for Carbonaceous Biochemical Oxygen Demand (CBOD maximum 25 mg/L), Total Suspended Solids (TSS maximum 25 mg/L), un-ionized ammonia (maximum 1.25 mg/L) and pH (between 5.5 - 9.5) every two weeks. Acute lethality tests are conducted quarterly and in this test rainbow trout are used to determine if they can survive in wastewater effluent over a 96-hour period. According to the regulations if four consecutive acute lethality tests pass when taken quarterly (over a year) then the testing for acute lethality can be reduced to once per year.

## Results

The following table identifies any test results which exceeded the Provincial Standards.

| Parameter Tested (# of test) | Maximum Limit | Exceeded Maximum Limit |
|---|---|---|
| BOD (5) | 20 mg/L | None |
| SS (5) | 20 mg/L | None |
| Fecal Coliform (5) | 1,000 counts/100 mls | 2 tests at 2,500 counts/100 mls |
| pH (21) | 6.5 – 9.0 | None |
| Comment: As a result of the Covid-19 pandemic UV bulbs which disinfect the effluent were not cleaned as often as they are normally cleaned and this resulted in two Fecal Coliform tests exceeding Provincial limits. Under normal conditions the UV bulbs would be cleaned weekly. This could not always occur during the pandemic as two operators are required for this task and so is physical distancing. | | |

All May test results met the Federal Standards. No rainbow trout died in the last acute lethality test performed on December 3, 2019. According to the Environment and Climate Change Canada regulations we are now only required to test for acute lethality yearly as the last four consecutive samples passed the test requirements. The next acute lethality test will be performed in December 2020.

We have attached a table which provides a summary of the average monthly daily flow (US gallons per day) of wastewater which has been treated from 2009 to date.

## Water Treatment Plant

The Provincial Approval document requires weekly total coliform and E. coli bacteria tests for water entering the distribution system and various water distribution system sample points. In addition, aluminum is tested monthly. Quarterly we test for: parameters for corrosion control; lead; trihalomethanes; bromodichloromethane; and

haloacetic acids. Annually, we test raw water and treated water for compliance with the Federal Guidelines for Monitoring Public Drinking Water Supplies and a fuller assessment every five years. The Province can also request viruses, Giardia and Cryptosporidium testing at any time.

**Results**

All May and quarterly test results were in compliance with the Provincial Approval requirements.

Additional information is attached with the line loss since January 2014 up to date and the location and cause of water leaks within the distribution system since January 2015 up to date.

## 3. FINANCIAL IMPACT

Funds are included in the Water Treatment Plant and Wastewater Treatment Plant operating budgets to pay for these water quality tests.

## 4. STRATEGIC PLAN RELEVANCE

Strategic Planning Goal #3. A. (a.) of the Town's Strategic Plan is to "Champion opportunities for our community's health and well-being by ... Protecting our natural environment ... Continue to provide solid waste management, sewage treatment and high-quality water to all of our residents".

## 5. RECOMMENDATION

This report is provided for Town Council's information.

Acknowledged only by:

Bea Renton, CAO

Encls. 3

**Waste Water Treatment Plant**

| Average Monthly Daily Flows (USGPD) | 2020 | 2019 | 2018 | 2017 | 2016 | 2015 | 2014 | 2013 | 2012 | 2011 | 2010 | 2009 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| January | 940,294 | 767,857 | 840,324 | 990,669 | 798,500 | 821,333 | 1,228,376 | 797,289 | 963,316 | 906,324 | 636,808 | 681,049 |
| February | 959,648 | 592,263 | 978,915 | 822,827 | 902,320 | 632,291 | 1,171,563 | 804,590 | 969,710 | 974,459 | 693,503 | 689,140 |
| March | 903,731 | 726,059 | 915,953 | 916,966 | 1,083,288 | 949,220 | 965,278 | 1,043,356 | 965,597 | 998,449 | 802,902 | 914,341 |
| April | 1,153,251 | 1,107,593 | 1,113,196 | 736,749 | 933,020 | 1,602,759 | 965,278 | 764,799 | 632,395 | 985,934 | 569,976 | 1,070,959 |
| May | 874,164 | 974,489 | 792,349 | 855,584 | 728,810 | 485,225 | 573,635 | 887,125 | 654,174 | 1,157,628 | 477,666 | 702,156 |
| June | | 914,011 | 678,713 | 884,103 | 626,112 | 991,863 | 639,974 | 989,508 | 656,993 | 840,575 | 559,765 | 678,842 |
| July | | 601,530 | 643,826 | 580,779 | 615,238 | 628,417 | 526,474 | 834,703 | 605,139 | 629,526 | 686,258 | 547,631 |
| August | | 577,504 | 504,183 | 617,797 | 508,015 | 627,702 | 509,224 | 601,246 | 559,871 | 834,769 | 582,341 | 577,263 |
| September | | 273,878 | 520,990 | 601,488 | 524,950 | 462,222 | 550,710 | 662,096 | 996,792 | 588,082 | 571,014 | 502,385 |
| October | | 649,833 | 884,682 | 491,703 | 773,368 | 728,372 | 851,612 | 716,092 | 714,657 | 1,188,019 | 578,492 | 944,224 |
| November | | 942,787 | 1,067,517 | 554,340 | 735,231 | 625,240 | 1,053,808 | 889,923 | 774,717 | 1,028,785 | 948,721 | 636,926 |
| December | | 906,862 | 770, 823 | 939,003 | 930,390 | 831,210 | 1,207,248 | 1,128,674 | 1,117,587 | 1,050,063 | 1,109,152 | 1,006,181 |
| **Average Daily Volume/Year USG** | | 752,889 | 745,054 | 749,334 | 763,270 | 782,155 | 853,598 | 843,283 | 800,912 | 931,884 | 684,717 | 745,925 |
| **Days per year** | | 365 | 365 | 365 | 366 | 365 | 365 | 365 | 366 | 365 | 365 | 365 |
| **Total Yearly Volume USG** | | 274,804,455 | 271,944,679 | 273,506,897 | 279,356,880 | 285,486,407 | 311,563,392 | 307,798,420 | 293,133,914 | 340,137,812 | 249,921,529 | 272,262,573 |
| **Year to Year Increase (Decrease) USG** | | 2,859,776 | -1,562,218 | -5,849,983 | -6,129,528 | -26,076,984 | 3,764,972 | 14,664,506 | -47,003,898 | 90,216,284 | -22,341,045 | |

*** Due to power outages these volumes may not be completely accurate**

**Town of Lunenburg Water Use**

| 2014 | | | | |
|---|---|---|---|---|
| | **Pumped** | **Sold *** | **Unaccounted Water Use/Loss** | **Percent** |
| January to March | 41,343,988 | 33,477,361 | 7,866,627 | 19.03% |
| April to June | 41,683,941 | 34,045,724 | 7,638,217 | 18.32% |
| July to September | 46,966,995 | 35,008,429 | 11,958,566 | 25.46% |
| October to December | 38,523,608 | 33,039,285 | 5,484,323 | 14.24% |
| **2015** | | | | |
| January to March | 38,685,055 | 31,474,195 | 7,210,860 | 18.64% |
| April to June | 41,053,551 | 33,846,179 | 7,207,372 | 17.56% |
| July to September | 44,926,119 | 33,983,269 | 10,942,850 | 24.36% |
| October to December | 38,532,914 | 35,139,044 | 3,393,871 | 8.81% |
| **2016** | | | | |
| January to March | 39,065,596 | 32,368,168 | 6,697,428 | 17.14% |
| April to June | 38,905,020 | 34,990,883 | 3,914,137 | 10.06% |
| July to September | 50,366,140 | 39,678,233 | 10,687,907 | 21.22% |
| October to December | 40,464,380 | 37,443,578 | 3,020,802 | 7.47% |
| **2017** | | | | |
| January to March | 37,574,680 | 33,531,323 | 4,043,357 | 10.76% |
| April to June | 39,237,440 | 36,096,612 | 3,140,828 | 8.00% |
| July to September | 48,072,704 | 42,657,360 | 5,415,344 | 11.26% |
| October to December | 40,528,840 | 35,983,255 | 4,545,585 | 11.22% |

| **2018** | | | | |
|---|---|---|---|---|
| January to March | 38,260,460 | 33,880,209 | 4,380,251 | 11.45% |
| April to June | 39,117,100 | 33,951,871 | 5,165,229 | 13.20% |
| July to September | 45,083,423 | 38,246,005 | 6,837,418 | 15.17% |
| October to December | 37,931,817 | 33,208,199 | 4,723,618 | 12.45% |

| **2019** | | | | |
|---|---|---|---|---|
| January to March | 38,188,700 | 32,842,069 | 5,346,631 | 14.00% |
| April to June | 41,667,340 | 34,992,919 | 6,674,421 | 16.02% |

| | | | | |
|---|---|---|---|---|
| July to September | 55,870,980 | 38,731,499 | 17,139,481 | 30.68% |
| October to December | 41,662,060 | 37,768,735 | 3,893,325 | 9.35% |

| **2020** | | | | |
|---|---|---|---|---|
| January to March | 39,497,480 | 31,682,469 | 7,815,011 | 19.79% |
| April to June | | | | |
| July to September | | | | |
| October to December | | | | |

*Based on an average of 150/gallons/day residential use. This typically increases during warm month periods.

**Water Leaks in Distribution System**

| 2015 | | | | |
|---|---|---|---|---|
| **Month** | **Date** | **Street** | **Address or Block** | **Problem or Cause** |
| January | 12 | Victoria Road | Civic 80 | 3/4" water service with pin holes |
| January | 22 | Kempt Street | Between Townsend and Cumberland | 6" valve bonnet broke |
| January | 26 | Lincoln Street | Civic 187 | 3/4" water service brass connection |
| January | 26 | Falkland Street | Civic 71 | 6" valve bonnet broke |
| February | 11 | Blockhouse Hill Road | Between Civic 11 and Civic 24 | 6" watermain cracked |
| February | 18 | High Street | Civic 24 (Hospital) | 6" sprinkler service leaking |
| February | 20 | McDonald Street | Between Brook and Green | 4" watermain cracked |
| April | 15 | Victoria Road | Civic 167 | 8" watermain long split |
| May | 1 | Lorne Street | Civic 20 | 3/4" water service swedge curb stop |
| June | 8 | Pelham Street | Civic 178 | 3/4" water service brass connection |
| November | 24 | McDonald Street | Between Brook and Green | 4" watermain cracked |
| December | 3 | Kaulback Street | Between Kissing Bridge Road and Kinley Drive | 8" watermain cracked |
| **2016** | | | | |
| **Month** | **Date** | **Street** | **Address or Block** | **Problem or Cause** |
| January | 19 | Falkland Street | Civic 71 | 6" sprinkler service cracked |
| February | 18 | Archibald Street | Intersection of Green Street | 8" X 6" reducer loose fitting |
| February | 25 | Centennial | Intersection of Victoria Road | 8" X 8" loose fitting (elbow) |
| March | 11 | Kaulback Street | Between Kissing Bridge Road and Kinley Drive | 8" watermain cracked |
| March | 29 | McDonald Street | Between Brook and Green | 4" watermain cracked |
| April | 15 | Falkland Street | Civic 32 | 3/4" water service brass connection |
| July | 6 | Mason's Beach Road | Between Civic 101 and 142 | 2" leak watermain |
| July | 25 | Bayview Drive | Behind 311 Pelham Street | 1 1/2" leak water service |
| October | 21 | Dufferin Street | 157 Dufferin Street | 3/4 " leak water service |
| October | 31 | Pelham Street | 106 Pelham Street | 3/4 " leak water service |
| December | 1 | Blue Rocks Road | Civic 359 | 1" leak water service |
| **2017** | | | | |
| **Month** | **Date** | **Street** | **Address or Block** | **Problem or Cause** |
| February | 4 | Montague | Civic 208 | 6" watermain cracked |
| September | 7 | MacDonald | Civic 59 | 3/4" Brass service leaking |
| September | 21 | Motague | Civic 257 | 3/4 Brass service leaking |
| **2018** | | | | |
| **Month** | **Date** | **Street** | **Address or Block** | **Problem or Cause** |
| February | 6 | Brook | Civic 108 | 6" watermain cracked |
| February | 15 | Green | Civic 23 | 6" watermain cracked |
| March | 19 | Victoria Road | Civic 79 | 8" watermain cracked |
| May | 15 | Bayview Drive | Behind 305 Pelham | 2" plastic line fitting |
| July | 2 | Victoria Road | Between 80 and 58 | 1" service holes in pipe |
| October | 4 | Dufferin Street | Civic 121 | 3/4 " leak water service |
| November | 4 | Young Street | End of Young Street in Park | 12" AC water line coupling failed |
| **2019** | | | | |
| **Month** | **Date** | **Street** | **Address or Block** | **Problem or Cause** |
| May | 2 | Kempt Street & Lincoln | Civic 24 Kempt Street | 6" watermain cracked |
| June | 10 | Harbour View Drive | Civic 232 | 3/4 " leak water service |
| June | 18 | Bluenose Drive | Civic 179 | 12" watermain coupling failed |
| October | 2 | Blue Rocks Road | Civic 359 | 3/4" service hole in pipe |
| October | 21 | MacDonald Street | Civic 59 | 4" cast iron watermain cracked |
| **2020** | | | | |
| **Month** | **Date** | **Street** | **Address or Block** | **Problem or Cause** |
| February | 18 | McKenzie | Civic 55 | 3/4 " leak water service |
| April | 30 | Falkland | Civic 29 | 3/4 " leak water service |
| No Leaks in May | | | | |

**LUNENBURG & DISTRICT FIRE DEPT**

**25 MEDWAY STREET, BOX 1478**

**LUNENBURG, NOVA SCOTIA**

**B0J 2C0**

Lunenburg Town Council

After the tender for our new Engine 2 was awarded, we held our pre construction meeting with the successful bidder, Mic Mac Fire Safety Source.
During this meeting we were able to eliminate a few items, as well as add some improvements to better the truck.

Some of the major changes were;
-Added an aluminum plate to the dog house in the cab to allow us to mount radios and equipment without drilling directly into the doghouse.
-added an extra rust protection barrier under the cab
-changed the seats from cloth to a heavy vinyl to allow better cleaning reducing the risk of carcinogens
-added exterior LED water level gauges to the rear and Officers side

With these changes, and credits, there was an additional cost of $2794 added to the final price of the truck.
I am requesting these costs be covered from funds from the sale of the 1998 Pumper, and 2000 Tanker.

Thank you.

Darren Romkey
Fire Chief
Lunenburg and District Fire Department
902-212-0476
dromkey@eastlink.ca

# Municipality of the District of Lunenburg
## Minutes of a Meeting of the REMO Advisory Committee
**Via Tele/Video Conference**
**Monday, July 20, 2020 – 1:30 p.m.**

**Attendance:**
Municipality of the District of Chester
- Warden Allen Webber (joined at 1:49 p.m.)
- Dan MacDougall, Chief Administrative Officer

Municipality of the District of Lunenburg
- Mayor Carolyn Bolivar-Getson
- Councillor Martin Bell
- Tom MacEwan, Chief Administrative Officer

Town of Bridgewater
- Mayor David Mitchell
- Councillor Wayne Thorburne
- Tammy Crowder, Chief Administrative Officer

Town of Lunenburg
- Deputy Mayor John McGee
- Bea Renton, Chief Administrative Officer (joined at 1:53 p.m.)

Town of Mahone Bay
- Mayor David Devenne, Chair
- Councillor Richard Nowe
- Dylan Heide, Chief Administrative Officer

NS EMO
- Andrew Mitton, Emergency Management Preparedness Officer

Staff
- Angela Henhoeffer, REMO Coordinator
- Chris Kennedy, Fire Services Coordinator
- Joanne Powers, Executive Assistant

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### 1. CALL TO ORDER

Mayor Devenne called the meeting to order at 1:30 p.m.

### 2. ANNOUNCEMENTS/ACKNOWLEDGEMENTS/RECOGNITION

Ms. Henhoeffer introduced Andrew Mitton, Emergency Management Planning Officer for the Western Zone, sitting in for Rhonda Matthews who was on course.

### 3. APPROVAL OF AGENDA

**Moved by Mayor Mitchell, seconded by Councillor Nowe that the Agenda be approved as circulated. Carried unanimously.**

## 4. APPROVAL OF MINUTES – January 20, 2020

**Moved by Mayor Bolivar-Getson, seconded by Mayor Mitchell that the Minutes of January 20, 2020 REMO Advisory Committee meeting be approved as circulated. Motion carried.**

## 5. BUSINESS ARISING FROM MINUTES

### 5.1 2020/21 REMO Budget Approvals from Municipal Units

Ms. Henhoeffer advised that all five municipal Councils have approved the 2020/21 REMO budget.

### 5.2 Discussion Regarding Narcan Kits

Ms. Henhoeffer provided an update on the status of the Narcan Kits. She advised that she reached out to the supplier regarding the two-year expiration. They cannot guarantee a two-year expiry from the time they are ordered but they will do their best. Ms. Henhoeffer will reach out to the company again in November to ensure there is sufficient supply for February when the current kits expire. Once received and invoiced, the kits and cost will be issued to each unit.

### 5.3 Comfort Centre and Emergency Shelters Procedures

Ms. Henhoeffer advised that due to COVID-19 nothing more has taken place since the last meeting.

The Municipality of the District of Chester requested that Ms. Henhoeffer meet with the Comfort Centres in Chester regarding the policy and recommended changes. This will take place once in-person meetings are allowed once again.

### 5.4 Hurricane Dorian After Action Report Update

Ms. Henhoeffer advised that an overview of where we stand with the workplan and recommendations was included on Page 1 of the REMO agenda. Due to the COVID pandemic, work slowed down on this, but she continues to work on the workplan.

## 6. NEW BUSINESS

### 6.1 Activation Triggers

One of the items that came out of Hurricane Dorian was to try to create some activation triggers for when the Emergency Coordination Centre (ECC) would be activated either virtually or physically and what the staffing component would look like.

Ms. Henhoeffer met with the Chief Administrative Officers (CAOs) from the five municipal units and together they created four triggers of the most likely events to occur in this area:

- Hurricane/Tropical Storm
- Winter Storm
- Flood
- Wildfire

Each of the four triggers included a flowchart (included in the agenda package) and Ms. Henhoeffer reviewed them with the Committee.

**Moved by Councillor Nowe, seconded by Councillor Bell that the Regional Emergency Management Advisory Committee approve the proposed activation triggers for incidents. Carried unanimously.**

### 6.2 Elected Officials Guide

Ms. Henhoeffer discussed the "Guide to Emergency Management for Elected Officials" (included in the agenda package).

It was the general consensus of the Committee that the guide be taken back to the various Councils for their review and approval and will be brought back to the September REMO meeting for final approval.

**Moved by Warden Webber, seconded by Mayor Bolivar-Getson that the Regional Emergency Management Advisory Committee take the "Guide to Emergency Management for Elected Officials" back to the five Councils for their review and approval. Carried unanimously.**

### 6.3 Resiliency and Business Continuity Planning

Ms. Henhoeffer talked about the importance of having updated Resiliency and Business Continuity Plans as we move out of the end of the first wave of COVID and as we move toward flu season. How will staff in the various municipal units be affected if COVID testing is necessary for a staff member or their family member? Because flu symptoms are similar with COVID symptoms, staff may require testing which is currently taking 48 hours – is there enough staff trained for key roles? Should cross training be taking place within the units as well as between units specifically for essential services like water/wastewater, etc.? How do staff manage school and work if a hybrid model takes place? Do municipal units need to re-write HR policies to accommodate work from home with flexibility if parents need to home school and work from home. Units should also be looking at PPE supplies and water and wastewater supplies as demand is still outpacing supply from the first wave. These are items discussed with

the CAOs and things to consider for updating the internal municipal unit Resiliency and Business Continuity Plans.

## 7. REMO COORDINATOR UPDATES

### 7.1 Training, Exercises, Activations

Ms. Henhoeffer noted that in regard to activation triggers, a virtual training exercise was started in June regarding the roles and responsibilities in an alert phase of a hurricane. She will continue to work on this training with the municipal units as a half day exercise is planned for October.

Ms. Henhoeffer advised of other incidents since the last meeting where REMO was activated in some capacity. COVID took much of the time and as we move out of the first wave if there are any lessons identified, share them to be passed along to EMO. Other incidents included a large propane tank leak, a boat fuel leak in Lunenburg, monitoring the active shooter in Colchester County, a wildfire in Chester Grant, a resident with a downed tree, and a wastewater issue where a contractor needed to travel under exemption to Nova Scotia as an essential worker.

Mr. Mitton advised that exercises with NS EMO had been postponed due to COVID but will be starting again in September.

## 8. ADDED ITEMS

## 9. NEXT MEETING – Monday, September 21, 2020 - 1:30 p.m.

## 11. ADJOURNMENT

**There being no further business at 2:12 p.m., it was moved by Mayor Mitchell, seconded by Mayor Bolivar-Getson that the meeting adjourn. Motion carried.**

# Lunenburg County REMO

# Guide to Emergency Management for Elected Officials

**December 2019**

DRAFT

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## Executive Summary

Lunenburg County is vulnerable to many hazards, ranging from severe storms and flooding, to forest fires and power outages. Elected officials are responsible for ensuring public safety and welfare of their communities.

Emergency Management operations before, during, and after an emergency, are an essential function of Elected Officials and local government agencies. Elected officials must have a clear understanding of how government responds to emergencies and disasters, what resources are available, what types of assistance can be provided to residents, and how much time it may take to deliver that assistance. They must be able to instill a sense of calm in disaster survivors and the public, and temper expectations of what government can do to aid in the recovery.

A coordinated message to the public between elected officials and emergency management is necessary so people do not receive conflicting information.

This guide is meant to be a general overview of the Lunenburg County Emergency Management Organization process for Elected Officials and is not intended as a complete reference document.

Please consult with your Emergency Management Coordinator for further information or questions.




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## Quick Reference Checklist

**BEFORE THE DISASTER:**

- Reinforce Preparedness Messages
- Become Familiar with Legislation
- Know your area
- Support Businesses in Knowing their Risks
- Become Familiar with Lunenburg County REMO Plans

**RESPONDING TO THE DISASTER**

- Refer Calls to the Appropriate Agencies
- Be Consistent with media using Key Messages as provided by Information Officer
- Stay Safe and Lead by Example in the Impacted Area(s)

**AFTER THE DISASTER**

- Support Recovery Efforts

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## What you need to know

When there is a disaster the public will turn to Elected Officials as the leaders in Lunenburg County for answers and assistance.



While residents will often turn to their Elected Officials for guidance and assurance during difficult times, Elected Officials have **no direct operational role** in Emergency Management.

The following information is intended to guide Elected Officials through individual emergency preparedness steps. By gaining an understanding of Lunenburg County's emergency management system and knowing how to best communicate with residents after disaster hits, Elected Officials can affect the outcome of an emergency in a positive manner.

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**72 HOURS**

**Nova Scotians are encouraged to be ready to cope on their own for at least the first 72 hours of an emergency.**

## Elected Officials

- ✓ Attend initial briefing for Situational Awareness.

- ✓ The roles and responsibilities of Elected Officials do not include attendance at the Emergency Coordination Centre (ECC) unless specifically requested by the ECC Manager. Visits to the ECC by Municipal Mayors/Wardens will be coordinated by the ECC Manager.

- ✓ Support the ECC Manager in the management of the emergency response by providing strategic direction as requested by the ECC Manager.

- ✓ Report credible information that comes from your constituents to the CAO or as an alternative, the representative of the Regional Emergency Management Advisory Committee (REMAC).

- ✓ Be available to meet and discuss a Declaration of a State of Local Emergency as recommended by the ECC Manager in accordance with the *Nova Scotia Emergency Management Act*.

- ✓ Provide advice on the long-term impact of an incident on people, critical infrastructure, the environment, finances, operations, business, industry and reputation.

- ✓ Prepare your family and home so that you can be available if requested, when the time comes.

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- ✓ Help spread the Public Safety Information developed by the ECC Information Officer and approved by the ECC Manager (CAO). A coordinated message to the public is necessary so people do not receive conflicting information.
    - REMO is a unified group of municipal units working together to the benefit of all of Lunenburg County, therefore a coordinated approach to messaging is important.
- ✓ Let the professionals trained in emergency management do their jobs. Understand why it is important that any site visits to the impacted area are to be coordinated through the Incident Commander and the Information Officer.
- ✓ Unless specifically asked to do so, please do not speak to the media.
- ✓ Do not speculate on what is happening regarding the emergency incident.
- ✓ Do not share privileged information that could jeopardize the operation.



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**In consultation with the Emergency Coordination Centre (ECC), through the ECC Manager:**




- ✓ Keep the community informed of the situation via Public Information messages developed by the Information Officer and approved by the ECC Manager (CAO).



- ✓ Engage with other levels of government for financial and resource support as required.
- ✓ Provide briefings to other levels of government, if requested.
- ✓ Authorize major expenditures as required.




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## Lunenburg County Regional Emergency Management Organization (REMO)

On January 18, 2017, the Lunenburg County Regional Emergency Management Organization (REMO) was established. An Inter-Municipal Agreement was signed and is comprised of the Municipality of the District of Chester, the Municipality of the District of Lunenburg, Town of Bridgewater, Town of Lunenburg and Town of Mahone Bay, for any emergencies in Lunenburg County. REMO was established to provide a coordinated response to an emergency and the day to day duties of being prepared for a major emergency or incident was delegated to this organization.

The Regional Emergency Management Plan (REMP) for Lunenburg County is based on an all-hazards approach to ensure that the County is prepared for any type of disaster or incident — whether natural or human caused.

### Hazard Analysis Summary 2015

Points calculated based on Probability and Severity

| High Risk | Moderate Risk | Low Risk |
|---|---|---|
| Flood Inland | Forest Fire | Telecommunications Failure |
| Winter Storm | Hot Days/Heat Wave | Drought |
| Hurricane | Transportation Accident | |
| Coastal Flooding/Storm Surge | Water Contamination | |
| Epidemic – Human | Animal Disease Outbreak | |
| Industrial Hazardous Chemical Release/Spill | Thunderstorm | |

**(Lunenburg REMO Hazard Analysis 2015)**

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## Lunenburg County
## Regional Emergency Management Organization (REMO)

**Municipal Councils**

- Municipality of the District of Chester
- Municipality of the District of Lunenburg
- Town of Bridgewater
- Town of Lunenburg
- Town of Mahone Bay

**Regional Emergency Management Advisory Committee (REMAC)**

- Mayor/Warden + 1 councillor per municipality
- Established to plan and coordinate emergency service delivery during a real or imminent emergency as defined by the *Emergency Management Act*.

**Municipal CAOs**

**Regional Emergency Management Coordinator**

**Municipal Assistant Emergency Management Coordinator (AEC)**

Represent their municipal unit, the AECs assist with preparing and coordinating the regional emergency plans and are active during a response.

**Regional Emergency Management Planning Committee (REMPC)**

Recommend policy and procedures to REMAC for maintaining a reasonable state of preparedness for emergencies and is comprised of CAOs, EMC, AECs, staff members, other agencies.

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## Getting Involved Before a Disaster

### Reinforce Preparedness Message with the Public and Prepare Yourself



Elected Officials should reinforce messages on the importance of making family communication plans and maintaining emergency supplies such as food, water, batteries, medications, and first aid supplies for individuals, families, and pets.

The **72-hour preparedness** message should always be communicated when discussing emergency preparedness with the residents of Lunenburg County. If an emergency occurs in Lunenburg County, it may take emergency workers some time to reach all residents affected. All residents of Lunenburg County should be prepared to take care of themselves and their families for a minimum of 72 hours.

Lunenburg County has personal emergency preparedness information available through the Emergency Management Coordinator emo@modl.ca or info@emergencymeasures.ca.

Elected Officials need to have an emergency plan in place for themselves, their families and pets before being able to assist residents.

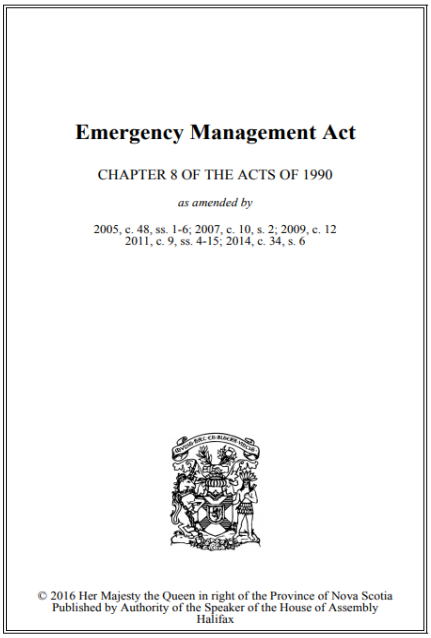
Maintain a current list of contacts and phone numbers you might need in order to respond to a disaster.




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## Become Familiar with Legislation

Generally knowing how local, provincial, and federal response resources are requested and mobilized gives officials credibility when talking with the public and responding to questions from the media.


Emergency Management Act

CHAPTER 8 OF THE ACTS OF 1990

*as amended by*

2005, c. 48, ss. 1-6; 2007, c. 10, s. 2; 2009, c. 12
2011, c. 9, ss. 4-15; 2014, c. 34, s. 6

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Published by Authority of the Speaker of the House of Assembly
Halifax

Provincial and federal resources can be requested through the Nova Scotia Emergency Management Office (NS EMO).

The Lunenburg County REMO Emergency Management Bylaw provides for the direction and control of the County's emergency operations under the provincial *NS Emergency Management Act*.

## State of Local Emergency

Through the *NS Emergency Management Act*, the Municipal Mayors/Wardens and Council have the power to declare, renew or terminate a State of Local Emergency (SOLE), and the power to put emergency plans into operation. The process is outlined in the Emergency Management Bylaw.

The Municipal CAO as ECC Manager, or designate, will make the recommendation to declare a State of Local Emergency. Municipal Mayors/Wardens will call a Special Council meeting and whoever is present within an hour represents a quorum and can make the declaration (Form 4). If a quorum is not present, the Mayor of each Municipality has the power to declare a State of Local Emergency (Form 5). The Declaration will identify specific powers, identify to whom they are delegated and where the powers are in force. The extraordinary powers, outlined in Section 14 of the *NS Emergency Management Act*, include:

- Seize real or personal property
- Require qualified person to render aid

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- Control or prohibit travel
- Restore essential services
- Cause evacuation
- Authorize entry without a warrant
- Cause demolition
- Procure or fix prices

The County can declare a State of Local Emergency for seven (7) days. After each seven (7) day period, the declaration must be terminated or renewed. The Province does not have to approve the declaration but can veto it. Declaring a State of Local Emergency flowchart is outlined at the back of this guide.

**Support Businesses in Knowing their Risks**

Businesses within Lunenburg County should have emergency plans to safeguard employees and property and to mitigate the impact of possible disruptions. Elected Officials should encourage businesses to take emergency preparedness steps consistent with existing standards and practices. Small businesses play critical roles in the economy of the County.

Recovery planning for municipal government and industry will increase the chances of economic recovery after a disaster.

Statistics show that approximately 40 per cent of businesses and industries involved in a catastrophic disaster do not reopen; 30 per cent of those that do reopen close within three (3) years. (*This is an industry average based on surveys after major disasters such as Hurricanes and Wildfires*).

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## Familiarization with County Plans

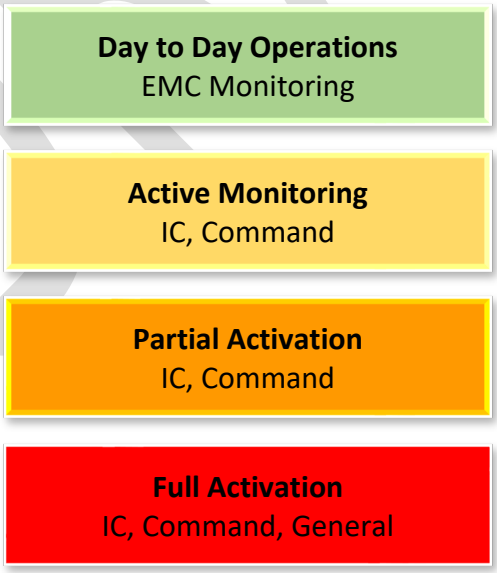
Lunenburg County REMO has developed a Regional Emergency Management Plan, dated 2009, was last updated June 2014.

When there is an incident, the Emergency Coordination Centre (ECC) can be activated when the incident size requires support. Criteria for ECC activation include (but are not limited to):

- Significant number of people at risk, e.g., requiring immediate or potential evacuation of the surrounding area;
- Potential for prolonged disruption of essential services;
- Immediate or potential threat to life, health, property or the environment beyond the ability of first responders to handle; and
- Potential for the situation to escalate.

## Activation Levels and Staffing Complement

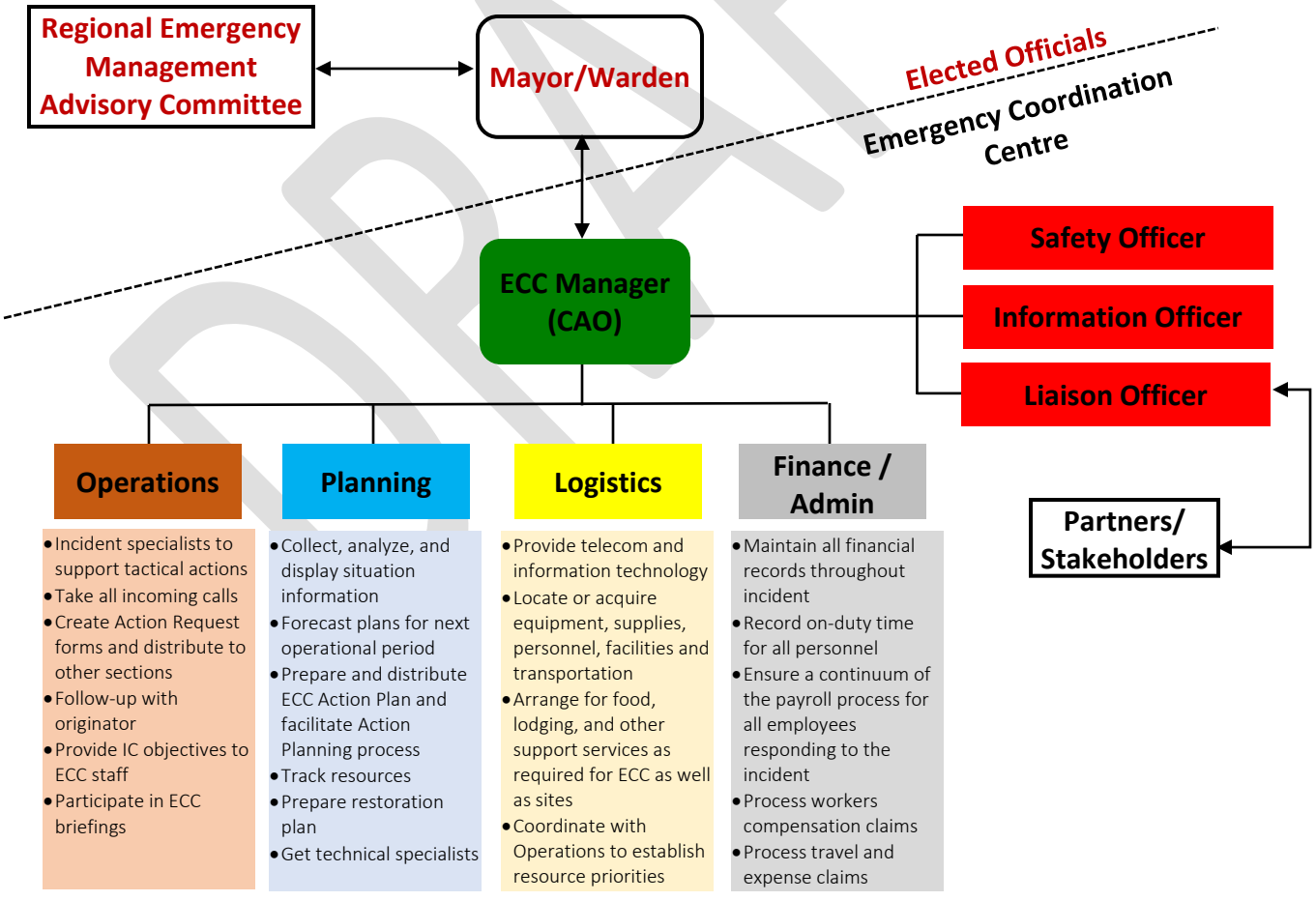
Depending on the type of size of incident, the ECC may open virtually or physically with any or all positions filled. The Incident Commander will be monitoring the incident and determine to increase or decrease the staffing and resource level.




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The Emergency Coordination Centre (ECC) is staffed with CAOs, EMC, AECs, and municipal staff from across Lunenburg County under the Incident Command System and the role of the ECC is to:

- Coordinate activities and resources in support of the Incident Commander in the field.
- Coordinate and reconfigure municipal services for the remainder of the municipality or agency.
- Coordinate and disseminate information to the public, during and immediately following an incident.
- Provide policy direction.
- Establish priorities and strategies.
- Collect, analyze and display information related to the incident.
- Plan for recovery, short and long-term.




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## Responding to the Disaster



**Communication with the public is critical in the days and hours leading up to an incident, as well as during and immediately after an event. Some hazards like flooding and severe winter weather offer some warning to officials and the public. Others, like chemical spills, may occur without notice.**

**Regardless of the type of hazard, Elected Officials can play a productive role by relaying accurate communication and key messages.**

**Emergency incident site visits for Elected Officials will be coordinated through the Emergency Coordination Centre (ECC).**

### Talking to the Media

Remain consistent with messages released by the Information Officer when speaking with the media. If calls from the media are expected, request and retain talking points and pre-released bulletins from Corporate Communications and/or the Emergency Coordination Centre (ECC), when activated.

**What you say to the media can have a great impact on the public's perception of response and recovery efforts.**

### Refer Calls from the Public

Emergency communications for Lunenburg County emergencies or disasters are typically released from Corporate Communications and/or the Emergency Coordination Centre (ECC), when activated.

It is the responsibility of the Information Officer to release warnings, life safety messages and directions to the media and the public at large. Questions from the public should be directed to the Public Information Officer within the ECC. Questions should not be directed through the 911 service as they will likely be very busy with issues related to the first response to the incident.

Elected officials can play two additional roles when responding to calls or questions from the public:

1. pass along accurate information to the public, and
2. compile issues and concerns.

In sharing information with residents, it is important that Elected Officials stay within the parameters of previously created information and directives from Corporate Communications to help establish realistic expectations about the municipal response and services.



**Communication with the Public in an Emergency**

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During an emergency, the ECC will utilize a variety of communication methods to communicate with the municipal units, the province and first responders. These methods could include telephone, email, TMR (Trunk Mobile Radio), satellite phone, Amateur Radio, or showing up in person to the Coordination Centre should all forms of communication fail.

Elected Officials can help by doing such things as encouraging residents to help their neighbours, e.g., shovelling the sidewalk during severe winter weather, or checking on neighbours to share duties or pooling resources.

### Stay Safe and Lead by Example

Elected Officials could face the issue of evacuating their own neighbourhood during a disaster. Only by staying safe can officials help others. Elected Officials should follow directives to evacuate or shelter-in-place.

If Elected Officials wish to re-enter or visit an impacted area, they should send a request through the Emergency Coordination Centre due to safety concerns for themselves and emergency responders in the area.

### Increase Awareness of Response Capabilities

Due to population increases, more reliance on technological infrastructures and interdependencies of utilities, (e.g. power grid), the number of incidents which can occur is increasing. Elected Officials can positively affect the outcome of an emergency in the policy area through active participation on the quarterly Regional Emergency Management Advisory Committee (REMAC) meetings.

**As an Elected Official, you will probably receive calls from your constituents. Work with the Information Officer in the Emergency Coordination Centre (ECC) to coordinate public information.**

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## Comfort Centres and Emergency Shelters

A **Comfort Centre** is a facility that is used for residents who are Sheltering-In-Place and remaining in their homes during an emergency but do not have full services such as electricity, heat, and water. The determination to open a Comfort Centre lies with the facility and REMO asks that the opening and closing times are shared for advertising and advising residents. Comfort Centres are intended to provide any of the following services:

- a place to go to get warm/cool
- light refreshments
- charge electronic devices
- provide updates
- community gathering point
- washroom facilities.

An **Emergency Shelter** is a facility opened at the request of the REMO in a large-scale emergency. The Shelter is operated by the Canadian Red Cross, under the direction of Department of Community Services. An Emergency Shelter includes providing personal services, accommodation and can include psycho-social services. The request to open an emergency shelter is solely made by REMO and the Incident Commanders and a request is initiated through NS EMO to assist.

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## After the Disaster

### Support Recovery Efforts

Recovery involves all of the cleanup, repair and financial assistance needed to return an area back to pre-disaster conditions. As soon as it is safe to do so, the County will conduct preliminary damage assessments to determine the level of damage to private property and community infrastructure.

Financial assistance may be available from the Province or Federal Government through Disaster Recovery Programs.

During the recovery phase, regular briefings are held in the ECC regarding the extent of damage and status of the recovery process. These briefings will be shared to keep you informed and better able to answer questions from your constituents and the media. Implementation of mitigation measures to prevent, avoid or lessen the reoccurrence of identified hazards ensures a safer community, and often one that is more liveable and attractive to its residents.

**As an Elected Official, briefings will be shared on the extent of damage and status of the recovery process from the Emergency Coordination Centre Manager (CAO). These briefings will help you answer questions from your constituents and the media.**

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## Key Phone Numbers and Contacts

**911** This is for emergencies only. If someone's health, safety or property is threatened and help is needed right away, call 911.

**Emergencies include:**

- Fire
- Crime in progress
- Emergency Medical Situation
- Serious Accident
- Poisoning

**811** For health information and advice when you have a health concern or question

**511** For information about Provincial roads in Nova Scotia

**211** For Community and Social Services

**Other Important Numbers:**

| | |
|---|---|
| **Power Outages** | |
| **NS Power** | 1-877-428-6004 |
| **Mahone Bay Electric** | After Hours: 902-543-3251<br>During Office Hours: 902-624-8327 |
| **Town of Lunenburg Electric** | After Hours: 902-527-0150<br>During Office Hours: 902-634-4410, ext. 3 |
| **Riverport Electric** | 902-543-2502 |
| **Bell Aliant Outage** | 611 or 1-800-663-2600 |
| **Eastlink Outage** | 1-888-345-1111 |
| **Drinking Water Safety** | 1-877-936-8476 |
| **Food Safety** | 1-877-252-FOOD (3663) |
| **Forest Fires** | 1-800-565-2224 |
| **Poaching** | 1-800-565-2224 |
| **Wildlife – Emergency Situations** | 1-800-565-2224 |
| **Environmental Emergencies** | |
| **(Such as Oil Spills and Gas Leaks)** | 1-800-565-1633 |
| **NS Emergency Management Office** | 1-866-424-5620 |

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## Forms

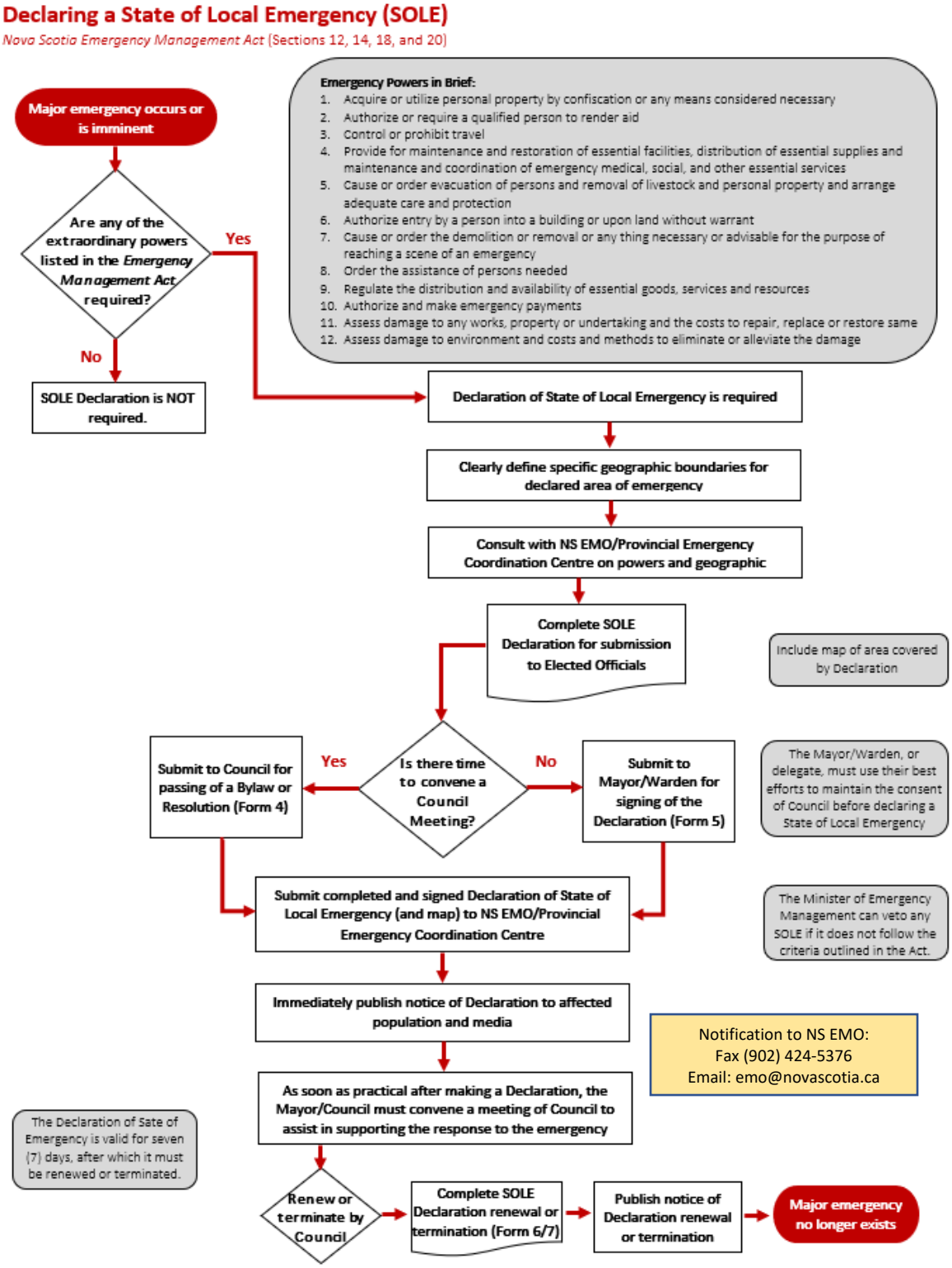
### Mayors/Wardens/Elected Officials on Advisory Committee (or Designates) Checklist

Mayors/Wardens and Elected Officials on the REMO Advisory Committee may be requested to respond to the Emergency Coordination Centre if established. Emergency duties specific to Elected Officials may include:

- ✓ If requested, respond to the ECC or set-up telecommunications to receive and transmit as directed by CAO or Elected Officials Liaison
- ✓ Upon recommendation of the ECC Manager, declare a State of Local Emergency (SOLE) (Form 4 or 5)
- ✓ If required, renew the SOLE declaration(s) every seven days (Form 6)
- ✓ Exercise all powers necessary as conferred by the *Nova Scotia Emergency Management Act*.
- ✓ Authorize the expenditure of municipal funds in consultation with the CAO
- ✓ Participate in situational awareness updates/meetings as appropriate
- ✓ Advise and update Council of the current emergency situation. The decision to hold separate council updates or one joint council will be made in consultation with all Mayor(s)/Warden and the ECC Elected Officials Liaison
- ✓ In consultation with the ECC Liaison Officer / Public Information Officer, brief the Media at a designated Media Information Centre using Key Messages as presented by the ECC
- ✓ In consultation with the ECC Liaison Officer/ Public Information Officer, inform the public of significant developments
- ✓ Upon recommendation of ECC, terminate the State of Local Emergency (Form 7)
- ✓ Maintain a timed log of all requests and actions taken

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## State of Local Emergency Flowchart



## Form 4 Declaration of State of Local Emergency for Muncipal Councils

**FORM 4**

**DECLARATION OF A STATE OF LOCAL EMERGENCY**
(Council of Municipality)

**Section 12(2) of the *Emergency Management Act*, S.N.S. 1990, c.8**

**WHEREAS** the area herein described is or may soon be encountering an emergency that requires prompt action to protect property or the health, safety or welfare of persons therein;

**Emergency Area:**

The area generally described as

| |
|---|
| |

Province of Nova Scotia (hereafter referred to as the "Designated Area(s)") Yes ( ) No ( )

**Nature of the Emergency:**

| |
|---|
| |

**AND WHEREAS** the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, exists or may exist in the Designated Area(s) noted above;

**THE UNDERSIGNED HEREBY DECLARES** pursuant to Section 12(2) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above as of and from_____o'clock in the forenoon ( ) or afternoon ( ) of the _____day of_____, 20__.

**THIS DECLARATION OF STATE OF LOCAL EMERGENCY** shall exist until_____o'clock in the forenoon ( ) or afternoon ( ) of the_____day of_____, 20__, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*.

**DATED** at_____, in the Municipality of_____, Province of Nova Scotia, this_____day of_____, 20__.

_____
Council, Municipality

_____
Name

_____
Position

[Authorized by Resolution No. _____ dated the_____day of_____, 20__]

## Form 5 Declaration of State of Local Emergency for Mayor or Warden

**FORM 5**

**DECLARATION OF A STATE OF LOCAL EMERGENCY**
(Mayor/Warden)

**Section 12(3) of the *Emergency Management Act*, S.N.S. 1990, c.8**

**WHEREAS** the area herein described is or may soon be encountering an emergency that requires prompt action to protect property or the health, safety or welfare of persons therein;

**Emergency Area:**
The area generally described as

| |
|---|
| |

Province of Nova Scotia (hereafter referred to as the "Designated Area(s)") Yes (_) No ( )

**Nature of the Emergency:**

| |
|---|
| |

**AND WHEREAS** the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, exists or may exist in the Designated Area(s) noted above;

**AND WHEREAS** the Council of the Municipality is unable to act;

**AND WHEREAS** the undersigned has (check appropriate box)

| | | | |
|---|---|---|---|
| (a) | Consulted with a majority of the members of the Municipal Emergency Management Committee | Yes ( ) | No ( ) |
| (b) | Found it impractical to consult with the majority of the Municipal Emergency Management Committee | Yes ( ) | No ( ) |

**THE UNDERSIGNED HEREBY DECLARES** pursuant to Section 12(3) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above as of and from_____o'clock in the forenoon (_) or afternoon ( ) of the _____day of_____, 20_.

**THIS DECLARATION OF STATE OF LOCAL EMERGENCY** shall exist until_o'clock in the forenoon ( ) or afternoon ( ) of the_____day of_____, 20_, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*.

**DATED** at_____, in the Municipality of_____, Province of Nova Scotia, this_____day of_____, 20___.

_____
Mayor/Warden's signature

_____

Municipality of _____

## Form 6 Renew a State of Local Emergency

**FORM 6**

**RENEWAL OF A STATE OF LOCAL EMERGENCY**
(Council of Municipality/Mayor/Warden)

**Section 20(2) of the *Emergency Management Act*, S.N.S. 1990, c.8**

**WHEREAS** the area herein described is or may soon be encountering an emergency that requires prompt action to protect property or the health, safety or welfare of persons therein;

**Emergency Area:**

The area generally described as

| |
|---|
| |

Province of Nova Scotia (hereafter referred to as the "Designated Area(s)") Yes ( ) No ( )

**Nature of the Emergency:**

| |
|---|
| |

**AND WHEREAS** the Declaration of a State of Local Emergency was signed on the_____day of_____, 20__;

**AND WHEREAS** the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, continues to exist or may exist in the Designated Area(s) noted above;

**THE UNDERSIGNED HEREBY DECLARES** pursuant to Section 20(2) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above is renewed as of and from_____o'clock in the forenoon ( ) or afternoon ( ) of the_____day of_____, 20___.

**THE RENEWAL OF A DECLARATION OF STATE OF LOCAL EMERGENCY** shall exist until_____o'clock in the forenoon ( ) or afternoon ( ) of the_____day of_____, 20__, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*;

**THIS RENEWAL** was authorized by the Minister responsible for the *Emergency Management Act*, pursuant to Section 20(2) of the Act by approval dated the_____day of_____, 20__

**DATED** at_____, in the Municipality of_____, Province of Nova Scotia, this _____day of_____, 20___.

_____
Council of Municipality

_____
Name

_____
Position

[Authorized by Resolution No. _____
dated the_____day of_____,
20___]

In the event the Council is unable to act:

_____
Mayor/Warden

## Form 7 Termination of a State of Local Emergency for Council of Muncipality

**FORM 7**

**TERMINATION OF A STATE OF LOCAL EMERGENCY**
(Council of Municipality)

Section 18(2) of the *Emergency Management Act*, S.N.S. 1990, c.8

**WHEREAS** by a Declaration of a State of Local Emergency dated the_____day of _____ _____, 20___, as renewed on the_____day of_____, 20___, a State of Local Emergency was declared for the following area:

**Emergency Area:**

The area generally described as

| |
|---|
| |

Province of Nova Scotia (hereafter referred to as the "Designated Area(s)") Yes (_ ) No ( )

**Nature of the Emergency:**

| |
|---|
| |

**AND WHEREAS** the undersigned is of the opinion that an emergency no longer exists in the Designated Area(s).

**THE UNDERSIGNED** pursuant to Section 18(2) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, hereby terminates the State of Local Emergency effective as of and from_____o'clock in the forenoon (_ ) or afternoon ( ) of the_____day of_____, 20_.

**DATED** at_____, in the Municipality of_____, Province of Nova Scotia, this_____day of_____, 20___.

_____
Council of Municipality

_____
Name

_____
Position

[Authorized by Resolution No. _____ dated the_____day of_____, 20___]

## Glossary of Terms

| | |
|---|---|
| AEC | Assistant Emergency Management Coordinator |
| ECC | Emergency Coordination Centre |
| EMC | Emergency Management Coordinator |
| IC | Incident Commander |
| NS EMO | Nova Scotia Emergency Management Office |
| REMAC | Regional Emergency Management Advisory Committee |
| REMO | Regional Emergency Management Organization |
| REMP | Regional Emergency Management Plan |
| SOE | State of Emergency |
| SOLE | State of Local Emergency |
| TMR | Trunk Mobile Radio |

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**Notes:**

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**LUNENBURG COUNTY REMO**

**Emergency Management Coordinator**
**902-930-1085**

**EMO@MODL.CA**
**INFO@EMERGENCYMEASURES.CA**

**@RegionalEMO**




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# MEETING NOTES (REVISED 8 JULY 20)

## PROJECT LUNENBURG

### Steering Team Meeting

### Wednesday, 10 June 2020 at 3:00 p.m.

### Zoom Webinar meeting

**PRESENT:**

**Voting members of the Steering Team:**
Councillor Matt Risser, Chair
Deputy Mayor John McGee
Councillor Peter Mosher

Peter Goforth, Qualified Expert
Cheryl Lamerson, Citizen Representative
Bill Rice, Citizen Representative
Gerry Rolfsen, Qualified Expert
Susan Sanford, Qualified Expert

**Non-voting, ex-officio members:**
Mayor Rachel Bailey
Dawn Sutherland, Planning and Development Manager (PDM), CCP Staff Project Manager, Recorder
Terry Drisdelle, Senior Planner, Develop Nova Scotia
Arthur MacDonald, Heritage Manager
Norma Schiefer, Development Officer, Municipality of the District of Lunenburg

**ALSO PRESENT:** Erica Brook, Upland Planning and Design Studio
Steffen Käubler, Upland Planning and Design Studio
Heather McCallum, Deputy Municipal Clerk
Bea Renton, Chief Administrative Officer

**REGRETS:** -

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The Chair called the meeting to order at 3:00 pm.

1. Agenda

Motion: That the agenda be approved, as presented.
Motion carried.

2. Review of notes from previous meetings

Motion: That the notes of 13 May 2020 be approved, as presented.
Motion carried.

3. Unfinished Business

None

4. New Business

a. Review of Progress Report

Dawn Sutherland reviewed the status report noting that the Covid-19 pandemic had caused delays although the engagement activities to date have been adapted to enable the project to proceed via an online format. (Schedule A).

b. Update on Engagement Activities

Erica Brook and Steffen Käubler reviewed the results of recent on-line engagement noting that 50 surveys were completed, 20 tool kits were returned, and there were approximately 50 pins on the social pinpoint map. What We Heard reports are not generated in this phase.

c. Draft Comprehensive Community Plan Steering Team Review

Steffen Käubler thanked members of the Steering Team for their comments on the draft. He noted some minor changes were made, which included prioritizing residents' inclusiveness, edits to make the document timeless (no comparisons to now), residential development removed from the golf course on the structure map (Figure 2.2), strengthening the open space/visuals from the harbourfront, and explicitly defining the Old Town Core along with green spaces on structure map (Figure 2.2).

Steering Team members offered the following comments:

1. Perhaps a statement on why there is no residential development on the golf course would be helpful to the reader;
2. Readability could be improved by adding a section on how to use the document, inserting a graphic for implementation and monitoring, moving the guiding principles to Chapter 2, setting out goals and objectives so people will know what they are (need an explanation);
3. Adding information in the introduction on who was engaged and the number of people engaged;
4. A reference to the role of the Steering Team and the names of members as well as the members of the Upland team should be added at the beginning;
5. An explanation that CCP is based upon community input as well as best practices, expert advice;
6. Revision surrounding the genocide of indigenous peoples to clarify that the Town was not the site of any atrocities;

7. That the final version should have an executive summary;
8. With respect to short term rental, other platforms such as VRBO should be included as well national buyers as they are contributing to the sort term rental stock along with the international buyers;
9. An explanation on how the maps are to be interpreted when it comes to private land ownership; and
10. Mention should be made of keeping the public water in the public realm, perhaps with all levels of government working together.

Erica Brook noted that the final chapter on implementation will be written after this community engagement period ends. It will contain statements and linkages between the guiding principles, goals, objectives, and actions. There will be a 11" x 17" poster for the 5 year action plan.

Steffen Käubler noted that there was not much interest in amalgamation or annexation. The emphasis was on shared services.

d. Next steps

Erica Brook explained that there will be two on-line Zoom presentations involving a video and a Q and A. Upland will provide an opportunity for small group conversations via Zoom for those interested in participating. If possible, there may be some in person conversations outdoors in small groups with participants 6 ft apart as per the Provincial directive regarding gatherings during the Covid-19 pandemic. There will also be an on-line survey.

5. Correspondence

None

6. In camera portion

There were no in camera items.

7. Resumption of Council meeting in public session

Not applicable.

8. Next Meeting Dates

a. Steering Team meeting: Wednesday, 8 July 2020, 3 pm, Zoom webinar

9. Adjournment

Motion: There being no further business, that the meeting be adjourned.
Motion carried.

The meeting adjourned at 4:09 p.m.

UPLAND
Planning +
Design Studio

63 King Street
Dartmouth, Nova Scotia B2Y 2R7
+1 (902) 423 0649
info@uplandstudio.ca

# PROGRESS REPORT

31 May 2020

## 4. a Progress Report for May 2020

**PROJECT:** Town of Lunenburg Comprehensive Plan
**REPORTING PERIOD:** May 1 - May 31, 2020

### 1. Targets Achieved in Period

- 1.2 Data Collection (in progress)
- 1.3 Document Collection (in progress)
- 2.2 Online Survey (in progress)
- 3.10. Draft Plan Preparation (in progress)

### 2. Outputs of Project

- Key Directions Steering Team Review (May 13)
- Online interactive map, survey, and discussion forum (April 2 - May 15)
- Kitchen table toolkit (April 2 - May 15)
- Youth focus group (May 5)

### 3. Project Related Issues

- Delays related to Covid-19.

### 4. Risk Analysis

-

### 5. What to Achieve in Next Period

Final Draft Review milestones and tentative proposed dates:

- Submit Draft CCP to ST, Staff, Council (Jun 4)
- Steering Team Review (June 10)
- Staff + Council Information Presentation (June 15)
- Community Presentation and Online Event (June 17)
- Interactive Map and/or Survey (June 17 - July 17)
- Take Home Kits, or other off-line as permitted (June 17 - July 17)
- Stakeholder Follow-Ups (June 17 - July 17)

# MEETING NOTES

PROJECT LUNENBURG

Steering Team Meeting

Wednesday, 8 July 2020 at 3:00 p.m.

Zoom Webinar meeting

**PRESENT:**

**Voting members of the Steering Team:**
Councillor Matt Risser, Chair
Deputy Mayor John McGee
Councillor Peter Mosher
Peter Goforth, Qualified Expert
Cheryl Lamerson, Citizen Representative
Bill Rice, Citizen Representative
Gerry Rolfsen, Qualified Expert
Susan Sanford, Qualified Expert

**Non-voting, ex-officio members:**
Mayor Rachel Bailey
Dawn Sutherland, Planning and Development Manager (PDM), CCP Staff Project Manager
Terry Drisdelle, Senior Planner, Develop Nova Scotia
Arthur MacDonald, Heritage Manager
Norma Schiefer, Development Officer, Municipality of the District of Lunenburg

**ALSO PRESENT:** Erica Brook, Upland Planning and Design Studio
Steffen Käubler, Upland Planning and Design Studio
Heather McCallum, Deputy Municipal Clerk, Recorder

**REGRETS:** -

---

The Chair called the meeting to order at 3:00 pm.

1. Agenda

Motion: Moved and seconded that the agenda be approved as presented. Motion carried.

2. Review of notes from previous meetings

Motion: Moved and seconded that the revised notes of 10 June 2020 be approved. Motion carried.

3. Unfinished Business

Nil.

4. New Business

a. Review of Progress Report

Dawn Sutherland reviewed the progress report, which includes a spreadsheet of over 300 individual comments on the Draft CCP from the Steering Team, Staff, and Council (Schedule A).

b. Update on Engagement Activities

Erica Brook reviewed public engagement item of the Progress Report. There is a public survey on the Draft CCP open until July 24th. The themes translate into priorities, including Blockhouse Hill, affordable housing, short-term rentals, water treatment, home-based businesses, parking, etc., and the continuance of community engagements on CCP implementation.

c. Next Steps

The Revised CCP will be submitted to the Steering Team on August 14th.

There was some discussion on the opportunities for Council and Staff to provide practical feedback, while being mindful of the focus on community input.

Steffen Käubler noted that the CCP is to cover a 40-year timeframe, so prioritizing will be important. There are many long-term items included should funds and interest allow, so expectations will have to be managed. The document is a toolkit and guide for the Town.

Erica noted that there will be a final chapter that lays out a proposed five-year plan. The document will also include a brief explanation to the community on how the items were prioritized. It is not possible to have every item at unanimous satisfaction in any plan of this nature before it is approved. The plan is just the first step in terms of implementation.

5. Correspondence

Nil.

6. In camera portion

Nil.

7. Resumption of Council meeting in public session

Nil.

8. Next Meeting Dates

   a. Steering Team meeting: *Wednesday, 12 August 2020, 3:00 pm, Zoom webinar*

9. Adjournment

Motion: There being no further business, that the meeting be adjourned. Motion carried.

The meeting adjourned at 3:50 p.m.

SCHEDULE "A"

UPLAND
Planning +
Design Studio

63 King Street
Dartmouth, Nova Scotia B2Y 2R7
+1 (902) 423 0649
info@uplandstudio.ca

# PROGRESS REPORT

30
June
2020

**PROJECT:** Town of Lunenburg Comprehensive Plan
**REPORTING PERIOD:** June 1 - June 30, 2020

## 1. Targets Achieved in Period

- 1.2 Data Collection (in progress)
- 1.3 Document Collection (in progress)
- 2.2 Online Survey (in progress)
- 3.10. Draft Plan Preparation
- 3.12. Final Comprehensive Plan (in progress)

## 2. Outputs of Project

- Draft CCP Submission to Steering Committee, Staff, Council
- Staff + Council Information Presentation
- 1st Community Presentation and Online Event
- Interactive Map and/or Survey (ongoing)
- Final Draft CCP Submission to Steering Committee, Staff, Council
- Stakeholder Follow-Ups (ongoing)

## 3. Project Related Issues

- To date, the project team has received over 300 individual comments from the Steering Committee, Staff and Council. All comments and the team's responses were recorded in a spreadsheet, which is attached to this report. The project team's edits in response to the comments are included in the Final Draft CCP.

## 4. Risk Analysis

- N/A

## 5. What to Achieve in Next Period

Final Draft Review milestones and tentative proposed dates:

- 2nd Community Presentation and Online Event
- Interactive Map and/or Survey
- Stakeholder Follow-Ups (ongoing)
- Final CCP Submission

# MEETING NOTES

PROJECT LUNENBURG

Steering Team Meeting

Wednesday, August 12, 2020 at 3:00 p.m.

Via Zoom Webinar

| | |
|---|---|
| **PRESENT:** | **Voting members of the Steering Team:**<br>Councillor Matt Risser, Chair<br>Deputy Mayor John McGee<br>Councillor Peter Mosher<br>Cheryl Lamerson, Citizen Representative<br>Bill Rice, Citizen Representative<br>Gerry Rolfsen, Qualified Expert<br>Susan Sanford, Qualified Expert<br><br>**Non-voting, ex-officio members:**<br>Mayor Rachel Bailey<br>Terry Drisdelle, Senior Planner, Develop Nova Scotia<br>Arthur MacDonald, Heritage Manager<br>Dawn Sutherland, Planning/Development Manager (PDM) |
| **ALSO PRESENT:** | Erica Brook, Upland Planning and Design Studio<br>Steffen Käubler, Upland Planning and Design Studio<br>Arthur MacDonald, Heritage Manager<br>Heather McCallum, Assistant Municipal Clerk<br>Bea Renton, CAO |
| **REGRETS:** | Peter Goforth, Qualified Expert<br>Norma Schiefer, Development Officer, Municipality of the District of Lunenburg |

The Chair, Councillor Risser, called the meeting to order at 3:00 pm.

1. Agenda

Motion: moved and seconded that the agenda be approved, as presented. Motion carried.

2. Review of notes from previous meeting

This item was deferred to the next meeting to allow time for review.

3. Unfinished Business

Nil.

4. New Business

a. Review of Progress Report

The Planning/Development Manager reviewed the status section of the report (Schedule "A"). The work remains four months behind schedule. She noted that the timing of Council approval of the Comprehensive Community Plan (CCP) document by the current Council or post-election is an issue. Initially it was intended that the CCP be approved by the current Council.

b. Update on engagement activities

Ms. Brook reviewed the next section of the report (Schedule "A"). Public engagement has currently wound down since the survey deadline has passed. They did receive the target number of surveys. She noted that fewer people are engaging at this time, but the feedback provided is detailed.

In response to a question, Mr. Käubler explained that preliminary work is being done on the Municipal Planning Strategy and bylaws, but due to content overlap with the CCP the majority of that work will be done after the CCP is approved. The PDM noted that if the CCP if completed and approved before the Council election, the planning documents' approvals should be completed in February/March 2021.

c. Draft Comprehensive Community Plan

Mr. Käubler reviewed a sample of the "Implementation and Monitoring" chapter (Schedule "B"). He confirmed that the pricing information provided is a scale. The numbers are provided as an estimated guideline only, based on their expertise.

Ms. Brook reviewed the "Scoring Matrix" (Schedule "C") and its decision-making criteria being used by UPLAND to assess the priority of the 30 items in the five-year plan. The scores assigned to each item is the first step. Delivery cannot be a factor in scoring. Town Council and staff will then set delivery priorities within the context of annual Town budgets. Many of the projects noted require significant budgetary and other resources to achieve. The five-year plan items are shorter-term items.

There will be a recommendation included that every five years Town Council and staff should take a fresh look and re-prioritize the next five-year plan since resources, technology, and partnerships will evolve through time. They will provide guidance on a criteria and process to use.

d. Next steps

Mr. Käubler confirmed that the latest round of comments is being incorporated into the document. Similar to the previous draft, they will provide a spreadsheet of the comments and how each one was addressed.

The "Implementation" chapter will be sent to the Steering Team ahead of the updated CCP. This chapter makes clear that delivery is not a factor and will be achieved over time.

The updated CCP will come to the Steering Team for review and recommendation to Council in September.

The continuity of Steering Team was discussed in light of the October election. If need be, new members or those with changing roles will be appointed by Council after the election. The Steering Team is to provide a recommendation to Council relating to the approval of the Comprehensive Community Plan and will continue oversight until the end of the project.

5. Correspondence

   a. Jessika Hepburn's submission to Council on July 28, 2020

Council requested that Project Lunenburg be made aware of Jessika Hepburn's submission at the Council Meeting of July 28, 2020, which contained a comment on Project Lunenburg's consultation process with the BIPOC (Black/Indigenous/People of Colour) community (Schedule "D"). Ms. Brook added that was not specifically addressed and UPLAND will have the report further reviewed through an anti-racism and inclusivity lens.

6. In camera portion – motion to recess to meet in camera to consider contract negotiations/matters (Section 22 *Municipal Government Act*)

Nil.

7. Resumption of Council meeting in public session – motion to consider any in camera meeting recommendations (Section 22 *Municipal Government Act*)

Nil.

8. Next Meeting Dates

Steering Team meeting: *Wednesday, September 9, 2020 at 3:00 p.m.*

9. Adjournment

Motion: Moved and seconded that, there being no further business, the meeting be adjourned. Motion carried.

The meeting adjourned at 3:52 p.m.

_____
Heather McCallum
Assistant Municipal Clerk

UPLAND
Planning +
Design Studio

63 King Street
Dartmouth, Nova Scotia B2Y 2R7
+1 (902) 423 0649
info@uplandstudio.ca

# PROGRESS REPORT

SCHEDULE "A"

31
July
2020

**PROJECT:** Town of Lunenburg Comprehensive Plan
**REPORTING PERIOD:** July 1 - July 31, 2020

## 1. Targets Achieved in Period

- 1.2 Data Collection (in progress)
- 1.3 Document Collection (in progress)
- 2.2 Online Survey (in progress)
- 3.10. Draft Plan Preparation
- 3.12. Final Comprehensive Plan (in progress)

## 2. Outputs of Project

- 2nd Community Presentation and Online Event
- Interactive Map and/or Survey
- Stakeholder and Public Follow-Ups (ongoing)

## 3. Project Related Issues

- Following the 2nd community consultation, the project team has received approximately 60 survey responses, 40 comments from the public Q+As, and 5 emailed submissions. All comments and the team's responses are in the process of being recorded and responded to in a spreadsheet, similar to the previously submitted response spreadsheet.
- The project is currently four months behind schedule.

## 4. Risk Analysis

- N/A

## 5. What to Achieve in Next Period

Final Draft Review milestones and tentative proposed dates:

- Stakeholder Follow-Ups (ongoing)
- Incorporation of Public Feedback
- CCP Implementation Chapter (sample pages for discussion are attached to this progress report)
- Final CCP Submission

# 14.2 Housing

Engagement showed that housing is a critical topic for Project Lunenburg, and the Comprehensive Community Plan aims to ensure access to housing that is affordable, suitable, sustainable, and puts the needs of residents before tourists and investors.

The priorities included in this five-year Implementation Plan cover a variety of topics such as short-term rental regulation, policies which encourage a variety of housing forms and ownership models, and a feasibility study to encourage long-term residency.

**Goal**

A Town that offers a wide range of high quality and affordable housing options.

**Evaluation Metrics**

Number of units constructed and offered for 30% or less the median household income for the census DA (permit records, census data)

Single-detached dwelling units as a proportion of new construction (permit records over time)

Number of affordable housing developments funded in part by the Town (financial records)

Proportion of renters to owners (census data over time)

Number of accessibility-related retrofits (permit records)

# 3.5a-d Regulate Short-term Rentals

Short-term rentals (or STRs) are one housing form that can enable affordable home ownership and bolster tourism, but they are also a threat to the availability of long-term rentals and the prosperity of traditional hospitality sectors. It will be important to balance these benefits and challenges to maintain a housing market suitable for long-term local residents. This action item aims to create clear and enforceable enabling policy which allows STRs where appropriate.

Recommendations for regulating STRs include incorporating STR policies into the existing Municipal Planning Strategy and Land Use Bylaw; creating a standalone Short-term Rental Bylaw which regulates the use of secondary and primary residences as STRs, classifying secondary residences hosted as STRs as a commercial use, and requiring Municipal registration of primary residences hosted as STRs; and allocating funds aqcuired from STR registration and taxation (and potentially non-resident owners taxes) for policy enforcement and affordable housing initiatives. Capital costs for this item cover the expenses of consulting services to conduct further engagement and create a Short-term Rental Bylaw.

## Action Type

S Study F Funding L Land Use O Organization

## Estimated Cost

$$$$$

## Score

Community Building

Community Desires

Enabling Fundamentals



## Steps to Implementation

1. Incorporate STR policy in upcoming MPS and LUB review
2. Issue an request for tender (RFT) for consulting services to complete a Short-term Rental Bylaw
3. Create a Municipal fund(s) to allocate income aquired from STR registration and taxation to enforcement and affordable housing initiatives

## Potential Partners

Local short-term rental operators, the Province of Nova Scotia

### How would this approach ensure hosts aren't purchasing homes for short-term rental?

A primary residence is the dwelling where an individual lives more than half the year as an owner or tenant, and is the residential address for bills, identification, taxes, and insurance. By restricting short-term rental to primary residences (hosts will be required to present government-issued ID upon registration), this Bylaw would allow properties to be listed only as a room within a home or as a full home while the host is away on vacation or otherwise. This approach attempts to avoid the removal of homes from the long-term rental market, encouraging long-term residency and stable neighbourhoods. Under the proposed regulations secondary residences could not be hosted as short-term rentals but may be registered as tourist accommodations where zoning allows.

# 2.3c Conduct a feasibility study of mechanisms to encourage long-term residency

Affordability of housing is a major concern for both renters and home owners, though renters also face the challenge of limited housing availability. In Lunenburg, seasonal residents and international buyers impact housing supply, making it harder for local residents to find suitable housing. In 2016, 14% of Lunenburg's residences were seasonal, and the Town has one of the highest rates of non-resident and international ownership in Nova Scotia, and international owners make up half of all temporary residents. Construction has been slowing to near-record lows since 2015, and while the market typically moves in the cycles, the current conditions do not favour long-term residency.

With an aging population, many homes will be entering the market in coming years, and this is a crucial time to ensure this supply is accessible for long-term residency and favours residents over visitors and investors. This feasibility study will analyze potential mechanisms for encourgaing long-term residency among propoperty owners through new tax programs.

## Action Type

S Study F Funding O Organization

## Estimated Cost

$$$$$

## Score

Community Building

Community Desires

Enabling Fundamentals

## Steps to Implementation

1. Issue an RFP for a Feasibility Study
2. Work with consultant to complete a feasibility analysis of the following mechanisims:
    - -International/national buyer tax
    - -Other non-resident owners tax
    - -Empty homes tax
    - -Lower owner tax credit (or augment provincial assessment cap)

## Potential Partners

n/a

SCHEDULE "C"

| Table 1.<br>Quantitative Criteria | | | | | |
|---|---|---|---|---|---|
| Criteria | Description | Max Value | Scoring Description | Weight | Score |
| **Community Building** | | | | | |
| **Capacity Building** | Local implementation and spin-off impacts. | 100 | The community is able to undertake the action and builds upon local resources. | 10% | |
| | | 50 | The community is partially able to undertake the action and will marginally build upon local resources. | | |
| | | 0 | External resources are wholly required to complete the action. | | |
| **Community Benefit** | The overall impact on the Lunenburg community. | 100 | The action addresses an urgent issue and will benefit the majority of the community. The action will lead to greater sustainability of the community and impact future generations. | 10% | |
| | | 75 | The action addresses an urgent issue but will only benefit a portion of the community. The action may lead to greater sustainability of the community and may impact future generations. | | |
| | | 50 | The action does not address an urgent issue but will benefit a large portion of the community. The action will positively impact the sustainability of the community. | | |
| | | 25 | The action does not address an urgent issue and benefits a small portion of the community. Marginal positive impacts on the community's sustainability and impact on future generations. | | |
| | | 0 | The action does not address an urgent need and does not benefit the larger community. | | |
| **Equity Benefit** | The action's benefit for a marginalized or an equity-seeking group in the community. | 100 | An action specifically addresses an equity-seeking group in the community (low-income, seniors, youth, new immigrants). | 15% | |
| | | 0 | An action does not specifically address an equity-seeking group in the community (low-income, seniors, youth, new immigrants). | | |

| | | | | | |
|---|---|---|---|---|---|
| **Instantaneous Assessment** | The level of 'instantaneous' impact in the community. | 100 | Completing the action will bring an immediate impact (<1 year) in the community. | 10% | |
| | | 50 | Completing the action requires some level of 'ground laying', with the impact in the community felt between 1 and 5 years after implementation. | | |
| | | 0 | The impact of the action will be felt 5 or more years after its implementation. | | |
| **Community Preference** | | | | | |
| **Community Preference** | The action has been specified by the community. Despite any level of support for an action, the community may still have concerns, and there may be details to resolve during implementation. | 100 | An action is supported by the majority of the community, but individuals or groups may still disagree with the action. | 35% | |
| | | 50 | An action is supported by some, but not all of the community. | | |
| | | 10 | An action is support by only a handful of the population or a limited number of community groups. This may include prerequisite actions that may not have been explicitly considered throughout the CCP process, or actions that may have benefits that are not obvious. | | |
| **Enabling Fundamentals** | | | | | |
| **Fundamentals** | The action is a fundamental mechanism for future planning initiatives and enables other actions within the CCP. | 100 | An action enables more than 10 other actions. | 20% | |
| | | 50 | An action enables between one and 10 other actions | | |
| | | 0 | An action that does not enable other actions. | | |
| | | | | 100% | |

SCHEDULE "D"

Steering Team Agenda Package of 12 August 2020

5. Correspondence

**From:** Dawn Sutherland
**To:** [redacted]
**Subject:** PL: Jessika Hepburn - to offer comments on CCP
**Date:** July-29-20 3:42:00 PM
**Attachments:** 3 (b) Coun Jul 28 20 Jessika Hepburn Response to Petition to rename Cornwallis and Creighton Streets.pdf
image001.png
image004.png

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Steering Team members, UPLAND:

At yesterday's Council meeting Jessika Hepburn of 49 Townsend Street presented a petition to Council to "Regarding a Response to Petition to Rename Cornwallis & Creighton Streets." As part of her presentation, she made a series of recommendations, one of which was in regard to a "major gap" in the PL consultation process. See attached for full petition presentation (written).

I will be putting Ms. Hepburn in touch with Upland as she had indicated that she is willing to provide comments on the draft CCP. I think it would be helpful for Erica to describe the efforts that were undertaken to be inclusive throughout this project.

Below are excerpts from Ms. Hepburn's presentation of the petition and from the draft Council minutes.

I am sending this for information purposes now as our next meeting is not for 2 more weeks – August 12th.

Regards,

Dawn

**1.**

**Excerpt from Jessica Hepburn presentation to Council 28 July 2020.**

• Close major gaps in the Project Lunenburg consultation process https://www.explorelunenburg.ca/comprehensive-community-plan.html and draft document by having the draft reviewed by BIPOC* anti-racism professionals and members of the community, prior to finalization or implementation, to ensure final drafts are anti-racist, accurately represent history, and created opportunity for input from marginalized residents.

BIPOC*: Black, Indigenous, and people of color

**2.**

**Excerpt form 28 July Council meeting minutes (draft)**

a. Petition to rename Cornwallis and Creighton Streets and 7. New Business, a. Corporate Services, i. Response to petition to rename Cornwallis and Creighton Streets

Council discussed the possibility of forming a Special Committee to address the issues and actions raised in Ms. Hepburn's submission through a preliminary staff report. The Mayor noted that she and staff recently participated in the NSFM's *Creating Municipal Action Plans for Ending Racism and Discrimination* July 23 webinar.

Ms. Hepburn's advice regarding preparation of a staff report was requested by Council. Ms. Hepburn commented that she serves on a Shelburne Committee regarding racism issues and emphasized the need for an inclusive and collaborative approach with representative membership and advisors who are fairly compensated for their time.

Motion: moved by Councillor Risser, seconded by Councillor Bachman for staff to prepare a Council report in consultation with the appropriate stakeholders and experts with a view to forming a task force or special committee to promote anti-racism, with a particular emphasis on anti-Black and Indigenous racism.

Ms. Hepburn suggested that the preparation of a survey to determine what forms of discrimination have been experienced in the community would be helpful. She advised that the terms inclusion and diversity are much broader than anti-racism and in particular anti-black and indigenous racism as put forward in her submission.

Staff are asked to have a preliminary report ready for the August 25 Council meeting.

Council asked that Project Lunenburg be made aware of Ms. Hepburn's submission.

Ms. Hepburn indicated she will review their draft Project Lunenburg *Comprehensive Community Plan* to offer comments.

Dawn M. Sutherland, MCIP, LPP
Manager of Planning and Development
Town of Lunenburg
119 Cumberland Street
PO Box 129
Lunenburg, Nova Scotia
Canada B0J 2C0

Email: dsutherland@explorelunenburg.ca

Tel: 902-634-4410, ext 255
Fax: 902-634-4416
www.explorelunenburg.ca www.projectlunenburg.ca

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*Please note: Only the issuance of a development permit guarantees that your proposed development is in compliance with requirements of the Land Use By-law. In the absence of an application with detailed information regarding your proposal, I am unable to warrant the above.*
*Please be aware that any communications made to the Town of Lunenburg will become records that are subject to the freedom of information and protection of privacy provisions contained in Part XX of the Municipal Government Act. Depending on the nature of the information and the subject matter, such communications may become part of the public record. If you are sending confidential business information or personal information, please mark it as such.*

**WASTE REDUCTION STRATEGY WORKING GROUP MEETING NOTES**

**WEDNESDAY, JUNE 3, 2020 AT 9:00 A.M.**

**(VIA VIDEO CONFERENCE)**

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| | |
|---|---|
| **PRESENT**: | Mayor Rachel Bailey, Chair<br>Councillor Ronnie Bachman<br>Kandace Forward, Campground Manager, Lunenburg Board of Trade<br>Sue Kelly, Organizing Team, Plastic Free Lunenburg<br>Ariel Smith, Team Lead, Coastal and Marine, Coastal Action<br>Valda Walsh, Region 6 Solid Waste Management |
| **ALSO PRESENT:** | Heather McCallum, Assistant Municipal Clerk |
| **ABSENT:** | Jamie Myra, Interim President, Lunenburg Board of Trade Council<br>Peter Baker, Public Works Superintendent |

| **Agenda Item** | **Discussion & Consensus** | **Action Items** (follow up) |
|---|---|---|
| 1. Agenda | • The meeting was called to order at 9:10 a.m.<br>• The agenda was approved as circulated. | |
| 2. Meeting Notes | • The notes were approved as circulated.<br>CLARIFICATION: According to GE's black bag rejection sheets, on Apr 30 there were 45 addresses stickered on the New Town/ Centennial route and on May 12 there were 13 addresses stickered on the Lower Old Town/Mason's Beach route. The numbers are declining. | |

| Agenda Item | Discussion & Consensus | Action Items (follow up) |
|---|---|---|
| 3. Unfinished Business<br>a. Business Arising | • Ms. Kelly noted that the LBOT is sponsoring a used item giveaway this weekend as part of Be a Tourist in Your Town this coming weekend.<br>• Boat wraps – The Mayor raised the question with the Lunenburg Waterfront Association, who agreed to look further into it and possibly bring to Develop NS with the Town as a joint request.<br>• Cigarette butts – Ms. Kelly will share a graphic about cigarette butt plastic pollution the Town may be able to use – she will forward. √<br>• Compost bin sizes – Counsellor Bachman noted that the local hardware store carries the standard 240L, they no longer have 120L, but they do have an 80L. Ms. Walsh explained that collection trucks are equipped with lifts, and the hauler would have to be asked if they can take an 80L bin. She noted that the small sizes have been reported as difficult for seniors as the wheels are not as sturdy and require more bending. More consideration should be taken re: the usefulness of the request. | -Councillor Bachman to get a spec sheet of the 80L containers. √<br>PW staff to ask GE if 80L containers can or cannot be accommodated by the truck lift. |
| b. Region 6 EPR materials – *for information* | • Ms. Walsh shared materials on extended producer responsibility (EPR) for information. She noted that these pieces were connected to a proposal for the Provincial government that was submitted last year. Link for information: https://legcat.gov.ns.ca/articles/1071668.2142/1.PDF<br><br>Ms. Walsh explained that since EPR is already in force in Ontario, BC, etc. Nova Scotia taxpayers are paying twice for recycling: through our taxes, and also to the manufacturers who have built the cost into their pricing structure. | |

| Agenda Item | Discussion & Consensus | Action Items (follow up) |
|---|---|---|
| c. Strategy Report to Council – *draft for discussion* | • The AMC presented the draft strategy document for review and comment. Most feedback will be captured in the document itself.<br>• Wreaths – Need to confirm Check with KC re what exactly is done now with – Mahone Bay has rental/reuse program – perhaps grape vine, fir bough options further down the road. UPDATE: Currently the Legion encourages a donation rather than wreath purchase. This topic was on the agenda for the 2020 National Legion Convention, now postponed to 2021.<br>• Dish rental – PFL has a stock of 100 dishes available; they could run the bank, but would need storage and dishwashing (consider putting washing onus on renters)? | Next steps:<br>-Check with Legion re details of Remembrance Day wreath program. √<br>-Staff (AMC) to update Strategy document and circulate to working group for final comments.<br>-An accompanying staff report to Council to be written. |
| 4. New Business<br>a. N/a | • N/a | |
| 5. Next Meeting(s) | • The next meeting is scheduled for: **Wed June 17 at 9:00 a.m.** | -Strategy document to be sent in advance. |
| 6. Adjournment | • The meeting was adjourned at 11:24 a.m. | |

**WASTE REDUCTION STRATEGY WORKING GROUP MEETING NOTES**

**WEDNESDAY, JUNE 17, 2020 AT 9:00 A.M.**

**(VIA VIDEO CONFERENCE)**

| | |
|---|---|
| **PRESENT**: | Mayor Rachel Bailey, Chair<br>Kandace Forward, Campground Manager, Lunenburg Board of Trade<br>Sue Kelly, Organizing Team, Plastic Free Lunenburg<br>Ariel Smith, Team Lead, Coastal and Marine, Coastal Action<br>Valda Walsh, Region 6 Solid Waste Management |
| **ALSO PRESENT:** | Heather McCallum, Assistant Municipal Clerk |
| **ABSENT:** | Councillor Ronnie Bachman<br>Jamie Myra, Interim President, Lunenburg Board of Trade Council<br>Peter Baker, Public Works Superintendent |

| **Agenda Item** | **Discussion & Consensus** | **Action Items** (follow up) |
|---|---|---|
| 1. Agenda | • The meeting was called to order at 9:02a.m.<br>• The agenda was approved as circulated. | |
| 2. Meeting Notes | • The notes were approved as circulated. | |
| 3. Unfinished Business<br>a. Waste Reduction Strategy | The revised document was provided for review.<br>• Mayor Bailey, as Chair, commented that she believes that even after the Strategy development is completed, the group should meet at least annually to provide some oversight on progress and continue the collaboration. (Same organizations, even if representatives change.)<br>• There was some discussion about whether the Action Items under Goals were too specific – perhaps another layer needed, similar to Town's Strategic Plan of 2014.<br>• Solid Waste Management Bylaw: UPDATE: The suggested lawn waste bag amendment has already been included with other amendments going before the General Government Committee.<br>• Garbage bins: Ms. Walsh noted that audits conducted by Region 6 showed that if multi-sort is the only waste bin option, | -Further revisions to the document to be made by staff (AMC) capturing feedback from meeting and emails.<br>-Confirmation to come re: which Council Meeting the presentation will be held at.<br>UPDATE: Anticipated to be presented at the July 28, 2020 meeting. Members of the working group are invited to attend and be available for questions, should they arise. |

| Agenda Item | Discussion & Consensus | Action Items (follow up) |
|---|---|---|
| | people sort better. A suggestion was made that the existing catch-all bins added to the waterfront due to the increased meal take-outs during the pandemic could be grouped to allow for sorting.<br>• Election signs: Noted to publicize existing restrictions about lawn signs under the Land Use Bylaw when the decision is made about a plastic election sign ban.<br>• Ocean garbage "ship to shore": Region 6 in the past had a program to educate recreational boaters and fishers on proper sorting on board, and marinas to be equipped for sorting upon return that could be revived and collaborated on? Coastal Action will be doing a fishing gear recovery program soon as well.<br>• Revision notes were captured in the document as the review progressed. | |
| 4. New Business<br>a. N/a | • N/a | |
| 5. Next Meeting(s) | • The next meeting is scheduled for: **TBD** | -Prior to July 28th Council meeting and/or closure is TBD. |
| 6. Adjournment | • The meeting was adjourned at 10:40 a.m. | |

Document No:
Meeting: COUNCIL
Circulate: July 28, 2020
File:

# M E M O R A N D U M

**TO:** **TOWN COUNCIL**

**FROM:** **HEATHER MCCALLUM, ASSISTANT MUNICIPAL CLERK**

**DATE:** **JULY 24, 2020**

**RE:** **WASTE REDUCTION STRATEGY**

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## 1. FACTS

At the January 14, 2020 Council Meeting the following motions were passed to allow the Waste Reduction Strategy Working Group (WRSWG) to begin work.

> *Motion: moved and seconded to appoint Mayor Bailey as the Council representative and Chair of the Waste Reduction Strategy Working Group. Motion carried.*
>
> *Councillor Bachman offered to serve on the Group as well which Council agreed with.*
>
> *Motion: moved and seconded to approve of the Guidelines for the Waste Reduction Strategy Working Group which the Group may further refine (Schedule "E"). Motion carried.*

## 2. ISSUES AND OPTIONS ANALYSIS

Nova Scotia's Our Path Forward report of 2011 set 300/kg/person/year as a target, but this target has largely fallen by the wayside. In 2020, with the Covid-19 pandemic, there is cause for concern about waste volumes with disposal of non-medical personal protective equipment and other single-use items like wipes.

The WRSWG held their inaugural meeting on January 30, 2020, using the approved Guidelines to direct their work. The Guidelines were revised on May 14, 2020 in response to the Covid-19 delay on timelines (Schedule "A").

**Membership**

- Town elected official(s); chaired by a member of Council:
  - Mayor Rachel Bailey, Chair
  - Councillor Ronnie Bachman
- Staff as assigned by CAO:
  - Peter Baker, Public Works Superintendent
  - Heather McCallum, Assistant Municipal Clerk
- Invited community stakeholders:
  - Coastal Action (Ariel Smith)
  - Lunenburg Board of Trade (Jamie Myra/Kandace Fellows)
  - Plastic Free Lunenburg (Sue Kelly)
  - Region 6/Divert NS (Kirk Symonds/Valda Walsh)

**Activities**

- Meetings
  - In person: January 30, February 13, February 20, March 5
  - Interim activity report provided to Town Council on March 10
  - Hiatus due to Covid-19 pandemic
  - Online: May 14, June 3, June 18
- Lunenburg Farmer's Market
  - March 12: WRSWG member organizations participated in a public information session on waste reduction and diversion, wearing green "3Rs" t-shirts donated by Jamie Myra
- Community Consultation
  - Resident community consultation sourced from Project Lunenburg and Plastic Free Lunenburg
  - Business community survey in March (44 responses)

The result of the WRSWG's work is the enclosed **Town of Lunenburg Waste Reduction Strategy** (Attachment "B"), submitted for Council's review and approval.

Please note: There are no timelines suggested for the recommendations; public restrictions for the pandemic would necessitate some items to be addressed when the situation normalizes.

## 3. FINANCIAL IMPACT

Strategy Action Items:

- Goal 1: Lead

Note: Action has taken place on several of the recommendations:

- A.i) Bylaw #38 recommended revision has been included
- B.ii) Three more multi-stream waste containers have been ordered from ABCO for Old Town, and one concrete multi-stream container has been installed at the Skate Park.

Costs for these recommendations include additional multi-stream (4-stream) waste bins. The Town has a grant application outstanding for three new-build ABCO Industries units for use in Old Town. Purchase of these units 1-2 at a time is incorporated into the 10-year capital plan, and a suggestion to consider offering sponsorship of the units is included in the Strategy.

- Goal 2: Collaborate

Costs for these recommendations include Councillor and staff time for ongoing discussions with community stakeholders, staff time and production costs (image rights, printing) for promotional pieces on a per-project basis, and potentially in-kind support on a per-project basis.

- Goal 3: Educate

Costs for these recommendations would involve staff time to create and distribute educational promotion materials, social media boosted post costs, image rights, in-kind use of Town facilities, and possible honorariums for workshop facilitators.

- Goal 4: Advocate

Costs for these recommendations include only Councillor and staff time for calls, letters, etc.

## 4. STRATEGIC PLAN RELEVANCE

This project is in keeping with:

- Strategic Plan Goal #1: Promote a high quality of life for residents.
  - A. Beautifying the community.
- Strategic Plan Goal #3: Champion opportunities for our community's health and well-being.
  - A. Protecting our natural environment.
- Strategic Plan Goal #5: Operate the Town efficiently and effectively.
  - C. Developing and updating Town bylaws, policies, procedures and plans.
  - D. Developing partnerships and strengthening inter-municipal, provincial and federal relations.

## 5. RECOMMENDATION AND DRAFT MOTION

It is recommended that Council approve Draft Motion a).

a) Draft Motion: moved and seconded that Council adopt the Waste Reduction Strategy as presented OR with the following revisions: _____.

b) Draft Motion: moved and seconded that Council adopt the Waste Reduction Strategy as presented in principal, and refer the Strategy to the General Government Committee to prioritize action items.

c) Draft Motion: moved and seconded that Council refer the Waste Reduction Strategy to the General Government Committee for consideration.

Attachments:

A. Waste Reduction Strategy Working Group-Guidelines REV_May 14 2020.pdf
B. Town of Lunenburg Waste Reduction Strategy_June 31, 2020.pdf

Acknowledged only by:

Bea Renton
Town Manager/Clerk

**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.

# WASTE REDUCTION STRATEGY



Prepared by the Waste Reduction Strategy Working Group
Town of Lunenburg
June 31, 2020

# INTRODUCTION

## About Us

On November 12, 2019, the Lunenburg Town Council passed a motion to establish a working group of elected officials and stakeholders to develop a Town Waste Reduction Strategy and/or action plan.

The following organizations partnered with the Town of Lunenburg to create this strategy as the Waste Reduction Strategy Working Group (WRSWG):

- Coastal Action (Ocean Friendly Nova Scotia program)
- Lunenburg Board of Trade
- Plastic Free Lunenburg
- Region 6 Solid Waste Management / Divert NS

## Why develop a strategy?

- Solid waste management: Garbage collection is a Municipal responsibility, and is a large cost in a municipal budget: waste collection in Lunenburg is a $385,100 budget item for 2020/21, or 7% of a tax dollar. Waste reduction and diversion to recycling and composting has a tangible impact on the cost burden to municipalities.
- Environmental stewardship: Town Council recognized the importance of environmental protection in its Strategic Plan adopted in 2014 and renewed in 2016. In 2018 citizens asked that a renewed effort be made to reduce waste, particularly single-use plastic.

*Note: A list of materials reviewed by the WRSWG to develop the Strategy are on page 11. Source documents are available upon request.*

## STRATEGIC MISSION

**Reduce solid waste in the Town of Lunenburg.**
*Increase resident and business participation in waste prevention and diversion, including single-use materials like plastics, styrofoam, etc.*

## STRATEGIC GOALS

| | |
|---|---|
| 1 | **LEAD** |
| 2 | **COLLABORATE** |
| 3 | **EDUCATE** |
| 4 | **ADVOCATE** |

## STRATEGIC GOALS + ACTION ITEMS

**1** **LEAD**
*Ensure the Town of Lunenburg leads by example by reducing waste in all municipal government work*

ACTION ITEMS:

A. Review and revise Town bylaw and policies for greater waste reduction and diversion

   i) Bylaw #38 Solid Waste Management – recommended revision to Item 20: "Leaf and yard waste may also be deposited into heavy kraft paper~~, clear, transparent or biodegradable plastic~~ bags"
   ii) Procedural Policy #90 – recommended that the Town introduce a requirement for renters (contracts) and tenants (leases) of Town facilities to follow the Town's policy of avoiding the use of non-recyclable, non-compostable containers and other materials
   iii) Consider requiring facility renters to be responsible for removing their own solid waste

B. Install more public multi-sort waste bins and continue the process of removing catch-all bins with a target date for elimination

   i) Locations to be guided by Region 6's waste container audit of November 2019. Standard Divert NS signage to be used on all Town waste containers (Region 6 recommended that both Organics and Paper go into the middle slot for existing three-slot bins)
   ii) Future multi-sort container builds to have four slots, and reposition the Town logo down to better accommodate the sorting signs
   iii) Group existing large catch-all bins to create labelled multi-sort stations
   iv) Convert some of the pole-mounted catch-all bins with new labelled single-hole opening for recyclable drink containers only and/or labelled dog waste stations
   v) Offer sponsorship opportunity of multi-sort bins by community groups or businesses (similar to that of public benches) to offset costs. Placement of sponsor recognition to be in line with the Town's Land-Use Bylaw and Sponsorship Policy.

C. Restrict election campaign signs

i) Ban election signs made from single-use, non-recyclable material (such as corrugated plastic).
ii) Educate the public on the current signage bans included in the Land Use Bylaw.

## 2 COLLABORATE

*Support collaborative efforts for waste reduction with other organizations*

The Town of Lunenburg currently has a shared waste management contract with the other Lunenburg County municipalities via Region 6 Solid Waste Management.

ACTION ITEMS:

A. Support community-based initiatives

i) Promotion and/or in-kind support of existing programs and encourage the development of new ones (e.g., Ocean Friendly Nova Scotia, the Blue W program, boomerang bags)
ii) Promote PFL development of a dish/cutlery bank that people can borrow or rent at a nominal cost for backyard parties, etc.
iii) Member organizations of the WRSWG are active in the community with workshops, in-person visits, Farmer's Market appearances, etc. – co-promotion and/or co-hosting by the other member organizations should be part of planning to expand the reach of each other's work
iv) PFL to liaise with Royal Canadian Legion Branch 23 to encourage them to convert to a local rental/re-use program for existing plastic Remembrance Day wreaths and begin to offer alternative biodegradable wreath(s) such as grape vine or fir

B. Support business-based initiatives

i) Liaise with businesses and professional associations in support of waste-reducing initiatives (e.g., Pharmacists Nova Scotia re: allowing patients to return their own bottles for refilling, or considering a change from plastic to glass medication dispensing bottles)
ii) Ocean pollution/plastic – recommended the Town encourage stakeholders such as Develop NS, Region 6, and Coastal Action into a discussion to develop a ship-to-shore campaign that encourages boaters and fishers to bring waste back to shore

C. Participate in county-wide initiatives

i) Curbside Giveaway Weekend – recommended that the Town join the other Lunenburg County municipalities planning to pilot this program in October 2020. (Reference: https://www.communityrecycling.ca/538-uncategorised/1050-curbside-giveaway)

ii) Maintain communication with neighbouring municipalities on other such initiatives

D. Representatives of the Waste Reduction Strategy Working Group partner organizations to meet annually at the beginning of each New Year to review accomplishments and refresh recommendations.

## 3 EDUCATE

*Develop and/or promote education programs on waste reduction and diversion*

Educating residents and businesses on waste reduction and diversion is the single most important piece to achieving the strategic mission.

ACTION ITEMS:

A. Inform the public what happens to waste after it leaves their hands

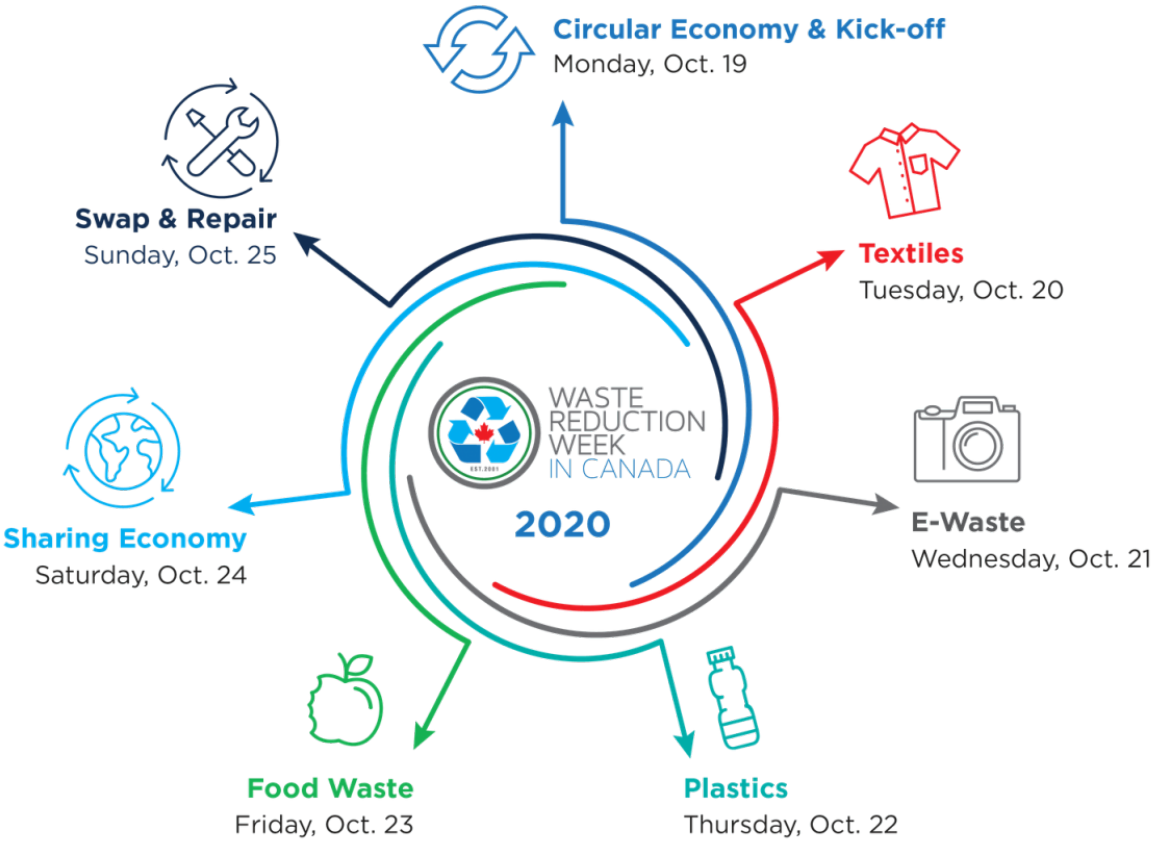
   i) Work with Region 6 to develop a new campaign – there are many myths to dispel (i.e., those who think recycling collection items go to landfill)
   ii) Re-run evergreen content such as the anti-pollution "Not Wanted in our Wastewater" campaign from 2019
   iii) Continue running posts in partnership with Public Works (e.g., wipes, fabric rags, and a hockey stick blocking catch basins)

B. How residents and businesses can improve their waste reduction and diversion

   i) A volunteer street team on selected weekend(s) during tourism seasons providing one-on-one education about correct waste sorting; volunteers to be sourced through the stakeholder organizations
   ii) Lunenburg Recreation to continue working with subject matter experts in our community to host or co-host eco-workshops through Lunenburg Recreation; move these to more user-friendly venues (i.e., the Fire Hall, Lunenburg Library, or Community Centre)
   iii) Co-promote information posts and campaigns, such as 2019's "Join in Bring Your Own" campaign encouraging people to bring their own bags, mugs, etc. out with them and share a photo with the #JIBYO hashtag
   iv) Develop information promos around other initiatives in this report as they are addressed

C. How to reduce over-consumption of products that create waste

   i) Share information about seldom recognized sources of plastic pollution, such as cigarette butts and boat wrap
   ii) Waste Reduction Week is annually in October: this year is October 19-25, 2020 with theme days already assigned that provide a useful blueprint for the planning of educational pieces: https://wrwcanada.com/en/2020-theme-days *(see graphic on next page)*


Circular Economy & Kick-off
Monday, Oct. 19
Swap & Repair
Sunday, Oct. 25
Textiles
Tuesday, Oct. 20
WASTE REDUCTION WEEK IN CANADA
2020
Sharing Economy
Saturday, Oct. 24
E-Waste
Wednesday, Oct. 21
Food Waste
Friday, Oct. 23
Plastics
Thursday, Oct. 22

## 4 ADVOCATE

*Advocate for action on important Provincial or Federal waste reduction legislation that can effect change*

ACTION ITEMS:

A. Participate in the Nova Scotia Federation of Municipalities (NSFM) effort to convince the Province to regulate extended producer responsibility (EPR) for end-of-life management of products and packaging, lifting the burden from municipal taxpayers (Note: EPR was adopted as one of NSFM's policy priorities for 2020)

   i) Help improve public understanding of EPR
   ii) Encourage the public and businesses to express their support for EPR to business associations and Provincial elected representatives
   iii) Encourage NSFM to take action to educate MLAs and caucuses
   iv) As a municipal stakeholder, communicate with Ministers and Provincial staff (Municipal Affairs/Environment) as well as our own MLA to promote adoption of EPR

B. Encourage the Province to expand its plastic bag ban legislation "An Act to Reduce the Use of Plastic Bags and Other Single-Use Products" to include restrictions on more single-use items

   i) Work through NSFM to encourage the Province to continue their efforts to expand the Act
   ii) Encourage community efforts to express support for amendments to the Act to their Provincial representatives

C. Reduce the use of large plastic boat wraps on the Lunenburg Waterfront

   i) With other stakeholder(s) such as the Lunenburg Waterfront Association, and Develop Nova Scotia, seek recycling centres for the plastic and/or alternative re-usable covers

## SOURCES

Materials and resources reviewed by the WRSWG to develop the Strategy:

- Business consultation via a survey of businesses' waste reduction challenges and opportunities in March 2020 (see Appendix). *Many thanks to the businesses that responded, as your contributions were invaluable in drafting this Strategy.*

- Existing community consultation data:
  - Project Lunenburg (*Sustainability and the Environment*, *Lunenburg Individual Survey*); and
  - Plastic Free Lunenburg (*Consultation Report*)

- The Town of Lunenburg's current policy:
  - Bylaw #38 Waste Management Bylaw; and
  - Procedural Policy #90 on waste reduction for municipal activities and events

- The Province of Nova Scotia's strategy (*Solid Waste Resource Management Strategy*) and legislation (*An Act to Reduce the Use of Plastic Bags and Other Single-use Products*

- The Government of Canada's strategy (*Ocean Plastics Charter*) and announcement of anticipated legislation

- Region 6's audit of public waste disposal units completed in November 2019

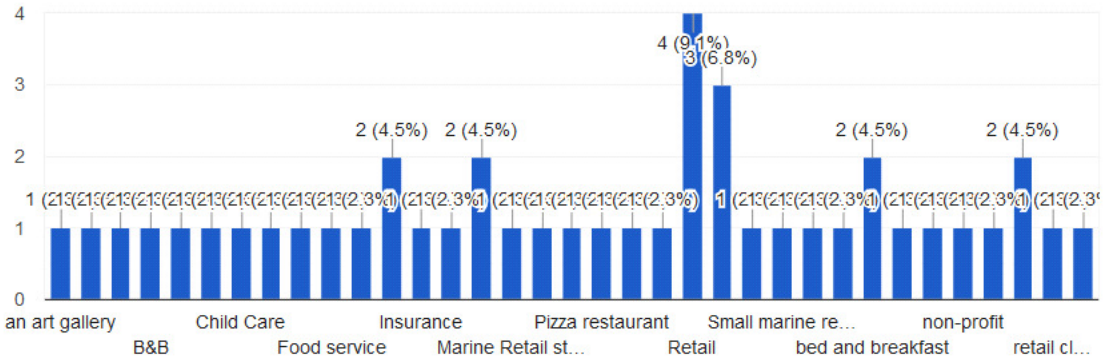
**APPENDIX**

# Lunenburg Waste Reduction - Business Survey Report

44 responses (March 2020)

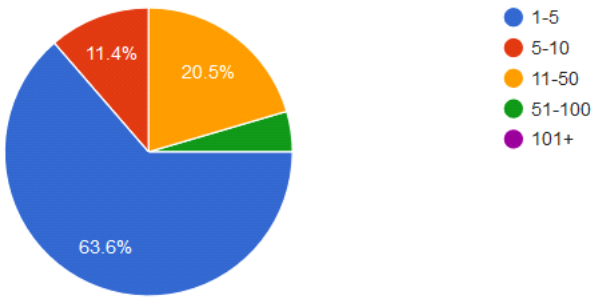
1.A What type of business are you? (See p. 6 for breakdown.)

44 responses



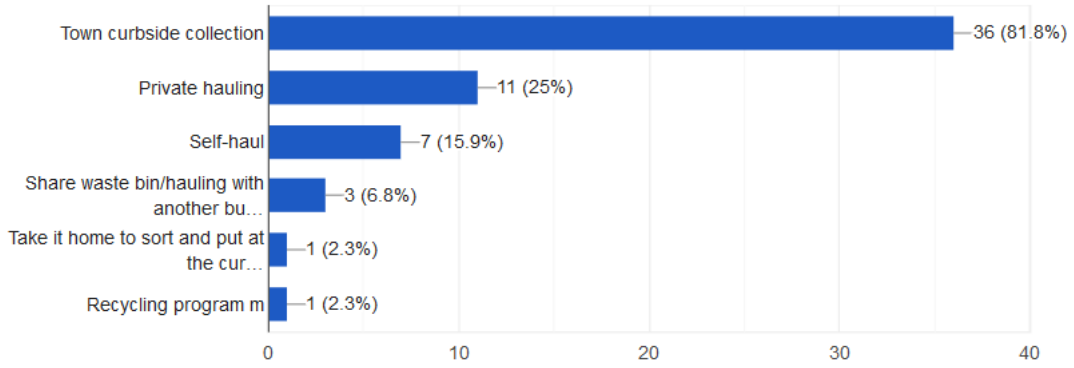

1.B How many employees and/or contractors does your business have?

44 responses



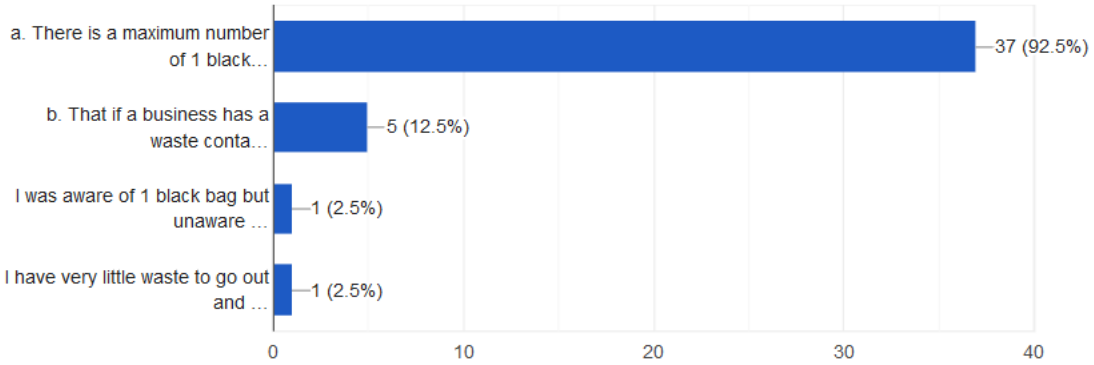
## 2. How does your business handle garbage disposal (check all that apply)?

44 responses




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

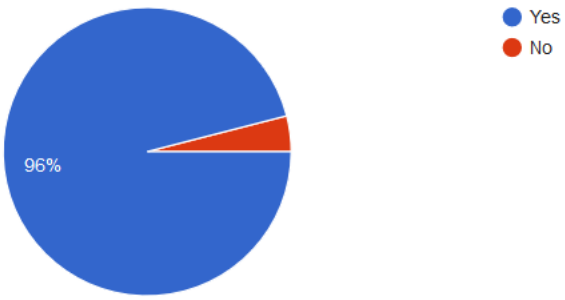
40 responses




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

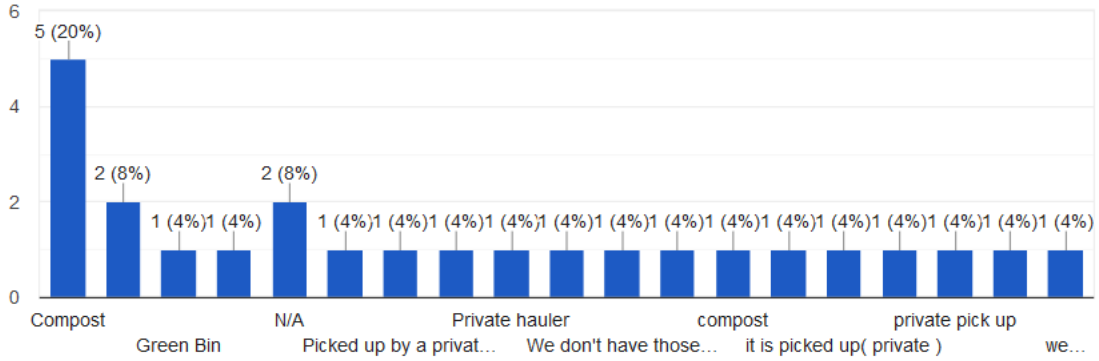
## 4.A If you are in the food & beverage or hospitality business, are you aware that oil and grease, liquid residues with high organic concentration, and food scraps should not be disposed of down your sink or sewer?

25 responses



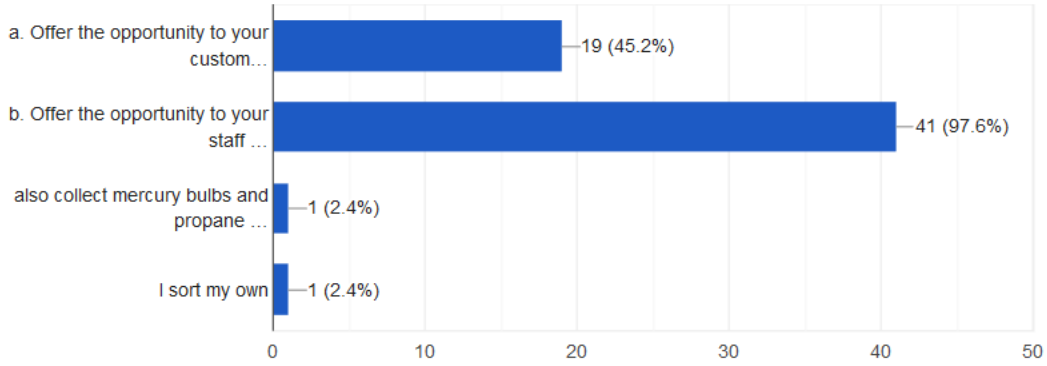
## 4.B How do you dispose of this material?

25 responses



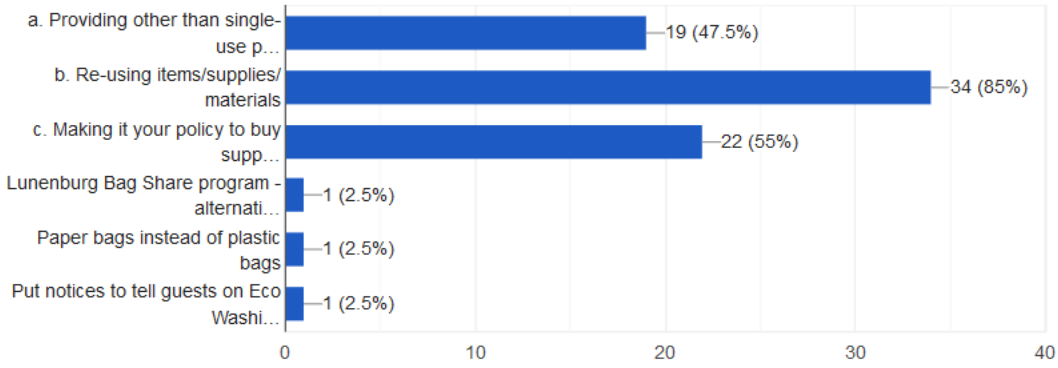

## 5. Within your premises, does your business (check all that apply):

42 responses



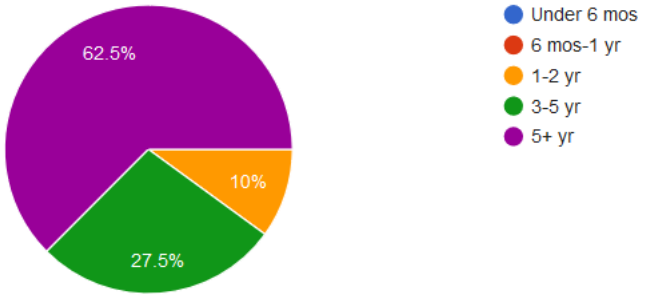

## 6.A Does your business reduce waste by methods such as (check all that apply):

40 responses



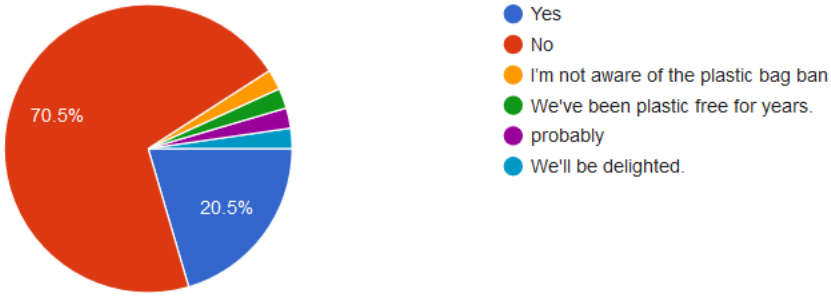
6.B If yes to above, how long has your business been practicing waste reduction?

40 responses



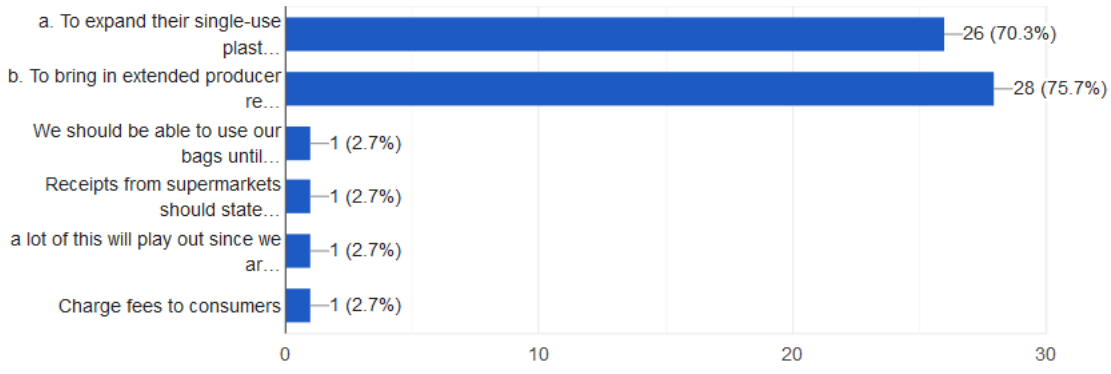

7. Will the October 2020 provincial single-use plastic bag ban affect you?

44 responses




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

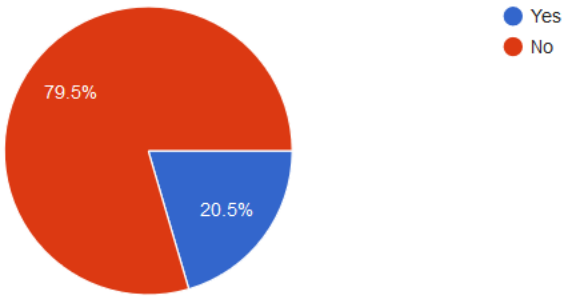
37 responses




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 |

## Ann Covey

**Subject:** 6 (a) Coun Jul 28 20 Response to proposed prohibition of plastic based municipal election signage
**Attachments:** What We Know final.docx

**From:** Brian Richardson <brian.r@bellaliant.net>
**Date:** July 20, 2020 at 9:14:15 AM ADT
**To:** Rachel Bailey <RBailey@explorelunenburg.ca>
**Cc:** Bea Renton <brenton@explorelunenburg.ca>, Peter Mosher <PMosher@explorelunenburg.ca>, Matt Risser <MRisser@explorelunenburg.ca>, Danny Croft <DCroft@explorelunenburg.ca>, John McGee <JMcGee@explorelunenburg.ca>, Ronnie Bachman <RBachman@explorelunenburg.ca>
**Subject: Council Meeting July 28th**

Good morning Mayor Bailey,

I hope this email finds you and the Councillors well as this pandemic continues on. Please find attached a letter for review at the upcoming Town Council meeting scheduled for July 28th. It is relevant to the waste reduction report and specific to election signage. If you have any questions please let me know.

Warm regards,
*Susan*

Susan Sanford
40 Hopson Street,
Lunenburg

July 20, 2020

Good morning Mayor Bailey and Councillors,

I would like to begin by acknowledging the great work undertaken by council members, staff and volunteers of the Waste Reduction Strategy Working Group. Their work to raise public awareness and reduce waste is of great service to our community and our environment. I understand there is currently a waste reduction survey being implemented; data from this survey will provide valuable information for planning for the future of the Town of Lunenburg and its' residents. We are fortunate to have dedicated staff and committed volunteers for these initiatives.

In reviewing the Council Agenda package, I see in the update and recommendation reports that a recommendation from the Waste Reduction Strategy Working Group, to restrict plastic campaign signs in the upcoming Municipal Election, will be discussed at the July 28th Council meeting. I would like to raise for Council consideration that election signs are necessary, reusable and recyclable. After great thought on this topic I would like to focus on the facts in relation to statements made suggesting why we need such a policy or resolution. Please see below Table 1: What We Know.

## Table 1: What We Know

| Statements | The Facts Tell Us… |
|---|---|
| **Signs are not recyclable.** | **Signs are reused and recycled**<br><br>**Now that Canada has voted, what happens with all the election signs?**<br><br>Many candidates save their signs to reuse in future campaigns, including Liberal Member of Parliament for South Shore-St. Margaret's, Bernadette Jordan. "Maybe 75 per cent of the signs I have are from the last election that I actually put re-elect on," she says. "I wanted to reuse them."<br><br>"Here in the Chester area it's not as much of a problem," she says. "They have a plant here that is taking that plastic and converting it into biodiesel and in that sense, it is good here." On behalf of the federal government in 2017, Jordan announced a $2.6 million investment to help build the facility, called **Sustane Technologies**. Halifax Today.ca (Online Oct. 23/2019) by Katie Hartai<br>---<br><br>Designed to transform up to 70,000 tons of municipal solid waste (MSW) per year into biomass pellets, diesel fuel and recyclable metals, Sustane Chester ***increases landfill diversion rates to over 90% for the municipality and the surrounding region.*** https://sustanetech.com/our-facility/downloaded 4/10/20 |
| **Signs blow away or are washed away.** | **These would be exceptional circumstances that could happen to any type of sign; not just election signs. The Municipal Elections Act requires signs to be collected otherwise candidates are guilty of an offence. Collection** |

| | |
|---|---|
| | **of signs also impacts the return of a candidate's deposit. Municipal Elections Act requirements eliminate or reduces the numbers of missing signs.**<br><br>**Municipal Elections Act**<br>CHAPTER 300 OF THE REVISED STATUTES, 1989<br><br>*as amended by*<br>1990, c. 38; 1991, c. 6, s. 41; 1994, c. 26; 1995-96, c. 16, s. 211; 1995-96, c. 1, s. 150; 1997, c. 6; 1998, c. 18, s. 568; 1999 (2nd Sess.), c. 13; 2000, c. 9, ss. 20-31; 2003, c. 9 ss. 2, 3, 5-43; 2003 (2nd Sess.), c. 5; 2004, c. 7. s. 21; 2007, c. 46; 2008, c. 24; 2008, c. 54, s. 13; 2011, c. 68, ss. 1-28; 2015, c. 47; 2018, c. 1, Sch. A, s. 125; 2018, c. 17, ss. 11, 12; 2019, c. 35<br><br>**Deposit**<br>**51 (1)** Every nomination paper shall be accompanied by a deposit of two hundred dollars, provided that the council may by by-law specify that a lesser deposit, or no deposit, shall be required.<br>**(3)** Upon the removal of all advertising material within seven days after ordinary polling day and the filing of an affidavit of the candidate in prescribed form confirming the removal, or to the like effect, with the clerk, and upon return of all copies of the amended lists of electors in the candidate's possession, including any electronic copies of the list provided to the candidate, or the deletion or destruction of any electronic copies, the clerk shall<br>(a) refund the deposit to a candidate who was elected or who polled at least half of the number of votes polled by the successful candidate; or<br>(b) refund half of the deposit to a candidate who polled less than half of the number of votes polled by the successful candidate.<br><br>**(7)** Every candidate who fails to remove all advertising material from public places after ordinary polling day and within seven days after notice is served upon him by the clerk by registered mail is guilty of an offence. R.S., c. 300, s. 51; 2003, c. 9, s. 23; 2007, c. 46, s. 12; 2015, c. 47, s. 11.<br><br>https://nslegislature.ca/sites/default/files/legc/statutes/municipal%20elections.pdf downloaded 4/10/20 |
| **Signs no longer make sense.** | With the COVID 19 pandemic, election signs are more important than ever. Chuck Porter, Minister of Nova Scotia Municipal Affairs, offered this advice to candidates running in the municipal elections: "**Use signs**, printed materials, telephone, social media, or virtual options to engage with constituents rather than canvassing door-to-door". Chronicle Herald, Monday July 20,2020<br><br>As someone seeking election this Fall, I understand that the Town's residents are a unique combination of generational (known), newer 5+ years (some known) and new (not known). Not everyone knows everyone. Chuck Porter, Minister of Nova Scotia Municipal Affairs, offered that |

| | |
|---|---|
| | "Incumbents have a distinct advantage over their challengers simply by virtue of name recognition. That advantage is amplified this time around by the coronavirus, constraints on campaigning, making it extremely difficult for new-comers to overcome the incumbents' advantage". Chronicle Herald, Monday July 20,2020<br><br>Election signs are a traditional tool that forms part of our Town's election communication culture. We use election signs to identify to voters who the election candidates are and to identify voter support for a specific candidate through display of a chosen candidate's sign. Election signs are increasingly important to residents that are not online, for those that are limiting their travel to within the Town re COVID 19 and for those that rely on visual communication tools.<br><br>Consideration should be given for the use of coroplast signs until such time that industry is able to provide a suitable alternative. I suspect Real Estate agents and advocates for "No to Open Pen Fish Farming" or "Off-Shore Oil Not Worth the Risk" would agree. Will these signs be restricted as well? |
| **Signs do not enhance democracy.** | Election signs are a tool used to identify to voters who the election candidates are and specifically, candidate support through choice of a lawn sign. Does prohibiting use of this tool for voters and candidates violate the Municipal Elections Act **151 (1) (b)? …. "…**impedes, prevents or otherwise interferes with the free exercise of the franchise of any elector, is guilty of a corrupt practice".<br><br>**Municipal Elections Act**<br>CHAPTER 300 OF THE REVISED STATUTES, 1989<br><br>*as amended by*<br><br>1990, c. 38; 1991, c. 6, s. 41; 1994, c. 26; 1995-96, c. 16, s. 211; 1995-96, c. 1, s. 150; 1997, c. 6; 1998, c. 18, s. 568; 1999 (2nd Sess.), c. 13; 2000, c. 9, ss. 20-31; 2003, c. 9 ss. 2, 3, 5-43; 2003 (2nd Sess.), c. 5; 2004, c. 7. s. 21; 2007, c. 46; 2008, c. 24; 2008, c. 54, s. 13; 2011, c. 68, ss. 1-28; 2015, c. 47; 2018, c. 1, Sch. A, s. 125; 2018, c. 17, ss. 11, 12; 2019, c. 35<br><br>**Corrupt practices**<br>**151 (1)** Every person who, by intimidation or duress,<br>(b) impedes, prevents or otherwise interferes with the free exercise of the franchise of any elector, is guilty of a corrupt practice and is liable to a fine of not less than one thousand dollars nor more than ten thousand dollars or to imprisonment for a term of not less than ninety days nor more than twelve months, or to both. |
| **Election Signs create undue hardship for candidates** | The Municipal Elections Act indicates that candidates can seek sponsorship. Sponsorship reduces undue financial hardship for candidates. |

| | |
|---|---|
| | **Municipal Elections Act**<br>CHAPTER 300 OF THE REVISED STATUTES, 1989<br><br>*as amended by*<br><br>1990, c. 38; 1991, c. 6, s. 41; 1994, c. 26; 1995-96, c. 16, s. 211; 1995-96, c. 1, s. 150; 1997, c. 6; 1998, c. 18, s. 568; 1999 (2nd Sess.), c. 13; 2000, c. 9, ss. 20-31; 2003, c. 9 ss. 2, 3, 5-43; 2003 (2nd Sess.), c. 5; 2004, c. 7. s. 21; 2007, c. 46; 2008, c. 24; 2008, c. 54, s. 13; 2011, c. 68, ss. 1-28; 2015, c. 47; 2018, c. 1, Sch. A, s. 125; 2018, c. 17, ss. 11, 12; 2019, c. 35<br><br>**Contributions to candidate or association**<br>**49A (1)** In this Section and Section 49B,<br>(a) "agent" means the official agent of a candidate and includes the candidate if the candidate is acting as official agent and, in the case of an association, means the person appointed by the association to act as agent;<br>(b) "association" means an association of one or more people established to, a trust established for or a fund established to further the election of the candidate;<br>(c) "contributions" means services, money or other property donated to an association or a person to support the political purposes of an association or candidate, but does not include personal services or the use of a vehicle volunteered by a person and not provided as part of that person's work in the service of an employer; |
| **A plastic free election policy would help voters and candidates focus on the real issues.** | The Municipal Elections Act clearly outlines consistent practices to be conducted during an election in Nova Scotia. If candidates are not focused on the issues relevant to the community, regardless of signs, they will not get elected. |
| **There are many effective alternatives to plastic signs.** | Signage is an effective tool for marketing your business. Election signs are marketing and communication tools for voters and candidates. They are a part of our election culture and critical to an election especially during a pandemic. If plastic free election signs are a direction the Town would like to go in, then industry needs adequate time to develop and produce alternative signage.<br><br>Consider the time given to businesses to switch from plastic bags to paper/cloth. Paper/cloth bags were in existence; currently there are no alternatives to coroplast election signs in existence (personal communication Edgecombe Marketing & Promotions, April 3,2020). Again, Industry needs adequate time to develop and produce alternative signage. |

In closing I would like to thank you for your time and consideration of this matter. I fully support waste reduction however, in the case of election signs there needs to be suitable alternatives to use especially in times such as thee with the COVID 19 pandemic! I wish you great success in your discussions and deliberations on this topic.

Warm regards,

Susan Sanford

Susan Sanford
40 Hopson Street,
Lunenburg, Nova Scotia

PS: I would be happy to deliver any discarded bundled election signs to **Sustane Technologies** in Chester, following the election. As noted above **Sustane Technologies** serve Chester and the surrounding region. It is a great opportunity to support regional community partners and new business ventures, especially those working on waste diversion and the production of biomass pellets, diesel fuel and recyclable metals. A practical way to support waste diversion without eliminating election signs.

# JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING MINUTES

## THURSDAY, JULY 9, 2020 AT 11:00 A.M.

## VIA ZOOM VIDEO CONFERENCE

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**PRESENT:** Paul Bracken, Facilities Superintendent/Safety Officer, Public Works (Co-Chair)
Peter Baker, Public Works Superintendent
Cali Beck, Finance Officer/Electric Utility Coordinator, Corporate Services
Kelly Cunningham, Recreation Director
Heather McCallum, Assistant Municipal Clerk, Corporate Services
Taylor Rombaut, Water Resource Operator, Public Works

**ALSO PRESENT:** Bea Renton, CAO

**ABSENT:** Bobby Cleveland, Facilities Attendant, Recreation (Co-Chair)
Laura Langille, Construction Safety Nova Scotia
Trevor Lohnes, Operator, Public Works
Gary Mossman, Fire Hall Superintendent, Fire Department

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The Co-Chair and Safety Officer, Paul Bracken, called the meeting to order at 11:05 a.m.

1. Agenda

The agenda was approved by consensus.

2. May 7, 2020 Joint Occupational Health and Safety Committee meeting minutes

The May 7, 2020 meeting minutes were approved by consensus.

3. Unfinished Business

a. Outstanding items chart from May 7, 2020 meeting minutes

| Outstanding Items May 7 Meeting | Status |
|---|---|
| Recreation<br>➢ Surplus bleachers stored outside. | Public Works will handle dismantle internally; this is scheduled to be completed by the beginning of June. UPDATE: Completed – the chart can be removed. |

b. COR Certification gap assessment audit for Town from Construction Safety Nova Scotia

Mr. Bracken presented an email from Laura Langille outlining 15 points that Construction Nova Scotia will be looking at for the Town's gap assessment for COR Certification (Schedule "A"). It will be circulated to the committee and department managers for their review to prepare for the assessment.

The assessment is scheduled for July 30-31, 2020

4. New Business

a. COVID-19 Update

Committee representatives provided an update from their departments.

- Public Works: No new processes to report.
- Recreation: The Farmer's Market has restarted outdoors in the Arena/Community Centre parking lot as of today.
- Corporate Services: Ms. Beck reported that the Finance counter has re-opened on Mondays/Tuesdays/ Wednesdays from 10:00 a.m.-12:00 p.m. with a social distancing and masking protocol and the rest of the building blocked off to visitors. A door auto-opener and video camera are being sourced. Ms. McCallum noted that there will be in-person voter registration on August 17-19 from 1:00-4:00 p.m., also restricted to the front part of the main floor. Ms. Renton reported that additional PPE is being ordered to maintain supply stock.
- Water and Wastewater: Mr. Rombaut requested guidance for handling the number of people in and out of the Wastewater Treatment Plant for the repairs underway. They have delayed two-person jobs to date. Mr. Bracken will schedule a meeting with the three water operators and Mr. Tillard.

b. Department bi-monthly safety inspections and Annual safety inspections

Mr. Bracken reported that he has received all the inspection reports and any deficiencies will be added to the spreadsheet on the S: drive.

c. Incident Reports

Mr. Bracken reported two incidents:

- Jun 3, 2020: A Public Works truck had an unsecured load in the back that broke the back window of the cab when it slid forward as the truck braked. Mr. Bracken has reviewed securing protocol and back racks are being installed in the trucks.
- Jun 30, 2020: During a Fire Department call there was a minor traffic collision.

Mr. Rombault queried a blown brake line (the vehicle in question was stationary at the time). Mr. Bracken asked that a near-miss report be prepared and he will review the daily vehicle 360-standing inspection protocol.

d. Bi-annual Fire Drills

Mr. Bracken will liaise with the Town's fire inspector and confirm scheduling.

e. Safety and Wellness Training schedule

Mr. Bracken has been in discussions with several companies to review online training availability, and the feasibility of small group training on site in Lunenburg. Some training, like First Aid, requires an in-person component.

Transportation of dangerous goods training has taken place online, and a WHMIS refresher has been circulated to staff.

f. Annual inspections for lifting devices, falls and ladders.

The annual inspections on these items have been completed; Mr. Bracken is waiting for the report. The Department of Labour is in the process of conducting five-year inspections on boilers, compressors, and other pressure vessels; a report is pending on these items as well.

5. Next Committee meeting dates – *Thursday: September 10 and November 5, 2020 at 11:00 a.m. Location (online or at Lunenburg Town Hall) is TBD.*

6. Adjournment

The meeting was adjourned at 11:41 a.m.

_____

Heather McCallum, Asst. Municipal Clerk

July 6, 2020

Paul.

This should serve as a guide to help you prepare for the internal audit that we have scheduled for the end of July. I've thought through each of your areas, however, there may be additional items that come up during the observations. You can confirm each one of these points with me, as much as possible, prior to the date of the audit.

Section 1- Health and Safety Policy

- Have you implemented a sample safety policy provided? This will ensure that all items that are required to be in the policy have been stated.
- Is the policy signed and dated?
- Is the policy posted at each of the locations?
    - Town Hall
    - Public Works including Water and Wastewater plants
    - Recreation
    - Fire Services
- Has the policy been reviewed with all employees? This will be confirmed during the interviews.

Section 2- Hazard Assessment

- Has a comprehensive hazard assessment been developed for all areas? Please forward to me so that I can review to ensure appropriate hazards and controls have been put in place.
    - Public Works
    - Water Treatment
    - Wastewater Treatment
    - Town Hall
    - Recreation
    - Electrical
    - Fire Services
- Are jobsite/task hazard assessments being completed as required? Please forward to me a selection of (or I can review on the day of). Covid -19 should also be included and considered.
    - Public Works including water and wastewater treatment
    - Town Hall (may not apply. An annual review of the CHA may be sufficient)
    - Recreation
    - Electrical
    - Fire Services

Section 3&4- Safe Work Practices and Safe Job Procedures

- Have all required safe work practices and safe job procedures been created? This will be identified on your Comprehensive Hazard Assessments. If there are safe work practices or procedures identified as controls then they must be part of your program.
    - Public Works including water and wastewater treatment
    - Town Hall
    - Recreation
    - Electrical
    - Fire Services
- Are the safe work practices and procedures known to the employees? This will be confirmed during the interview process. There should be documented proof (through a tool box meeting or

orientation) that the employees have been made aware that they are available. Employees will also need to be involved in the review of the practices and procedures going forward (great topics for tool box meetings).

Section 5- Rules

- Are general rules in writing with enforcement procedures?
- Are employees aware of the rules? (This will be confirmed during interviews)

Section 6- Personal Protective Equipment- *The majority of this section would apply to the employees in Public Works, Water treatment, Wastewater treatment, Recreation and Fire Services. General knowledge would be expected from Town Hall employees. Documentation would be expected for Public Works, Recreation and Fire Services at a minimum.*

- Is there a PPE policy in place that outlines when PPE is required?
- Have all applicable employees received training for specialized PPE use and maintenance?
    - Fall Protection
    - Confined Space
    - Fit Tested
- Has all specialized PPE been tested and inspected as per manufacturers specifications?
    - All Fall protection gear inspected and tagged? Records of inspections. This would also would be confirmed during site observations
    - All Confined space gear inspected and tagged? Records of inspections. This would also be confirmed during site observations.

Section 7- Maintenance- *The majority of this section would apply to the employees in Public Works, Water treatment, Wastewater treatment, Recreation and Fire Services. General knowledge would be expected from Town Hall employees.*
*Documentation would be expected from Public Works, Recreation and Fire Services at a minimum.*

- Is there a maintenance policy and program documented and in place for vehicles, tools and equipment?
- Are records kept of maintenance conducted?
- Is there a schedule for preventative maintenance documented?
- Is there a rigging program in place for inspection, maintenance and tracking of rigging equipment?
- Is there a lock out/ tag out system in place? Are employees aware?

Section 8- Training and Communication

- Is there an orientation program in place for new hires or rehires?
- Have all employees received the orientation? There should be a program orientation conducted for all existing employees in each department/area. This should be supported by documentation. (meeting minutes or orientation record).
- Are employees trained on their job specifics? Is this documented? If there has not been anyone that has been recently hired than there should be a policy/procedure stating that this will occur and be documented.
- Have all employees been appropriately trained? Training records and expiry should be available for each employee. Training will be confirmed for compliance training and will include
    - Supervisor training (Leadership for Safety Excellence)
    - WHMIS
    - Emergency First Aid
    - Excavation and Trenching
    - Transportation & Dangerous Goods
    - Rigging

    - Other, as applicable.
- Are tool box meetings being held and documented? Records must be available for all areas including town hall employees (frequency may be different, as specified in the policy)
- Is there an annual general safety meeting held that includes all staff? If you haven't done this yet it would be a good opportunity to have your program orientation. Create an agenda and keep minutes and attendance.

Section 9- Inspections- *This section applies to facilities, equipment and workplace inspections. There should be records for each area.*

- Is there an inspection policy that outlines the frequency of inspections to be conducted for each area?
- Are inspections being conducted as per the frequency?
- Are employees involved in inspections?
- Are supervisors/managers conducting inspections?
- Are areas of concern documented and followed up on?

Section 10- Investigations

- Is there a policy outlining what should be reported and when an investigation is needed?
- Are there records of recent investigations for the past year?
    - Do they describe what happened?
    - Do they indicate what was the root cause of the incident?
    - Do they indicate what the corrective action will be to insure that the incident does not recur?
    - Are they communicated to employees? Can be posted, or through tool box meetings.
- Are applicable employees trained in investigations? This is your Leadership for Safety Excellence course.

Section 11- Emergency Preparedness

- Are there emergency procedures in place for each area? Shut down procedures? Who to call?
- Are there muster stations, where applicable.
- Are emergency numbers known?
- Are there rescue procedures for
    - Fall arrest
    - Confined space
    - Trenching
- Is there a controlled product inventory?
- Are Safety Data Sheets available for all controlled products and accessible to employees?

Section 12- Records and Statistics

- Are monthly safety summaries kept?
- Is there a process to identify trends and areas of concern?
- Are first aid kit records documented? (if someone uses something from the first aid kit, do they complete the logbook?

Section 13- Legislation

- Is the OH&S Act posted at each location?
- Are Regulations available to employees? Through internet, or hardcopy.
- Are employees aware of their legislative rights and responsibilities? This will be confirmed during the interview process.

Section 14- Supplementary

- Is there a JOHSC in place?
- Are the names and contact of the JOHSC posted at each location?

- Have all JOHSC members been trained? This is the Committee Member Rep course.
- Are minutes of JOHSC meetings kept and posted?
- Does the committee have a Rules of Procedure and is it being followed?
- Are all required documents posted at each location? At a minimum,
    - DOLAE contact number
    - JOHSC members and contact
    - First Aid providers names
    - Safety Policy

Section 15- Constructors

- Is there a subcontractor policy?
- Is there a program/procedure for hiring subcontractors?
- Are subcontractors safety certified?
- Is information collected from subcontractors including
    - Liability insurance
    - Proof of WCB coverage
    - Proof of safety certification
    - A completed hazard assessment for the job being subcontracted.
    - Training records, as applicable, or a declaration confirming training
    - Orientation records showing knowledge of the Town's procedures on periodic inspections, reporting of incidents and emergency procedures, as applicable, or a declaration confirming completion
    - Confirmation that appropriate emergency procedures are in place including safety data sheets.
- Are periodic inspections conducted on subcontractors to ensure compliance? Are there records?

Any questions, please do not hesitate to contact me.

Regards

Laura Langille
OH&S Advisor

# GENERAL GOVERNMENT COMMITEEE MEETING

## RECOMMENDATIONS/NOTICES OF MOTION

## JULY 16, 2020

1. Councillor Mosher will give notice of motion of the proposed revised Bylaw #38. *Solid Waste Management Bylaw* (Schedule "A") for first reading at the August 25, 2020 Council meeting.

2. Deputy Mayor McGee will give notice of motion of the proposed adoption of the *Committees of Council Policy* at the July 28 Council meeting subject to confirmation of the Committee structure chart (Schedule "B").

3. Deputy Mayor McGee will give notice of motion of the proposed repeal of Bylaw #5. *Council Procedure Bylaw* (Schedule "C") for first reading at the July 28, 2020 Council meeting.

4. Deputy Mayor McGee will give notice of motion of the proposed adoption of the revised *Policy #18 Town Sponsored Events* (Schedule "D") at the July 28 Council meeting.

# GENERAL GOVERNMENT COMMITTEE MEETING MINUTES

## THURSDAY, JULY 16, 2020 AT 2:00 P.M.

## (AUDIO/VIDEO LIVE STREAM DURING COVID-19 PANDEMIC)

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**PRESENT:** Deputy Mayor John McGee, Chair
Mayor Rachel Bailey
Councillor Ronnie Bachman
Councillor Joseph Carnevale
Councillor Peter Mosher

**ALSO PRESENT:** Pat Burke, Q.C., Town Solicitor
Heather McCallum, Assistant Municipal Clerk
Bea Renton, Chief Administrative Officer

**ABSENT:** Councillor Danny Croft
Councillor Matt Risser

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- Call to order

The Deputy Mayor called the meeting to order at 2:00 p.m.

- Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People

1. Agenda

Motion: moved and seconded to approve the agenda. Motion carried.

It was agreed to proceed to agenda item #5. c. at the outset of the meeting.

2. June 3, 2020 minutes

Motion: moved and seconded to approve the June 3, 2020 meeting minutes. Motion carried.

3. Public Presentations

(Nil.)

4. Correspondence

(Nil.)

5. Business arising from the Minutes and Unfinished Business

c. Proposed revisions to Solid Waste Management Bylaw #38 – Town Solicitor report and proposed notice of motion at the July 28, 2020 Council meeting

The Town Solicitor provided an overview of the proposed amendments to the Bylaw (Schedule "A") with some typographical corrections he will make.

Motion: moved and seconded that Councillor Mosher will give notice of motion of the proposed revised Bylaw #38. *Solid Waste Management Bylaw* (Schedule "A") for first reading at the July 28, 2020 Council meeting. Motion carried.

a. Draft revised Committees of Council Policy - review and proposed notice of motion at the July 28, 2020 Council meeting

Revisions to the Policy Committee structure chart attached to the draft Policy will be made (Schedule "B") with typographical corrections as discussed by the Committee. If approved the similar Town Bylaw will be repealed.

Motion: moved and seconded that the Deputy Mayor will give notice of motion of the proposed adoption of the *Committees of Council Policy* at the July 28 Council meeting subject to confirmation of the Committee structure chart (Schedule "B"). Motion carried.

b. Proposed repeal of Bylaw #5. Council Procedure Bylaw – staff report and proposed notice of motion at the July 28, 2020 Council meeting

Motion: moved and seconded that the Deputy Mayor will give notice of motion of the proposed repeal of Bylaw #5. *Council Procedure Bylaw* (Schedule "C") for first reading at the July 28, 2020 Council meeting. Motion carried.

6. New Business

a. Proposed revisions to Policy #18 Town Sponsored Events - review and proposed notice of motion at the July 28, 2020 Council meeting

Motion: moved and seconded that the Deputy Mayor will give notice of motion of the proposed adoption of the revised *Policy #18 Town Sponsored Events* (Schedule "D") at the July 28 Council meeting. Motion carried.

Next meeting date - Thursday October 15, 2020 at 2:00 p.m.

7. Adjournment

Motion: moved and seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 2:41 p.m.

_____

Bea Renton, CAO

SCHEDULE "A"

TOWN OF LUNENBURG

A BYLAW TO PROVIDE FOR THE SEPARATION, STORAGE, PLACEMENT, COLLECTION AND TRANSPORTATION OF SOLID WASTE RESOURCES GENERATED WITHIN THE TOWN OF LUNENBURG

BY-LAW NUMBER #38

**SHORT TITLE:**

1) This Bylaw shall be known and may be cited as the "**Solid Waste Management Bylaw**".

**DEFINITIONS:**

2) Words used in this Bylaw shall take their meaning from their context and from dictionaries of the English (Canadian) language, except as follows:

a) "**approved storage bin**" means a storage bin designed for the temporary storage of collectible waste and which meets the following specifications:

i. is constructed of wood or other sturdy material and in such a manner as to be inaccessible to pests, rodents, vermin, seagulls or animals;

ii. is fitted with a securely-hinged lid weighing not more than 5.0 kilograms (11.0 pounds);

iii. is not equipped with a self-locking latch; and

iv. is equipped with a means of securing the cover in an open position.

b) "**blue bag recyclables**" means glass jars and bottles, cans (whether made of aluminum, steel or tin), plastic containers, plastic bags, film stretch and pallet wrap, milk and juice containers together with such other items as may, from time to time, be designated by Council as blue bag recyclables;

c) "**boxboard**" means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items;

d) "**branches and limbs**" means branches, limbs and brush;

e) "**bulky waste**" means large items including but not limited to: vacuum cleaners, windows weighing not more than 100 kg (220.5 lbs.) and measuring not more than 1.8 meters (5.91 feet) in its longest dimension, furniture, mattresses, box springs and porcelain bathroom items such as toilets and sinks, barrels, pallets, white goods, metal items, artificial Christmas trees, as well as small quantities (in bundles) of construction or demolition materials weighing not more than 100 kg (220.5 lbs.) and measuring not more than 1.8 meters (5.91 feet) in its longest dimension, subject to special requirements for collection of bulky waste elsewhere in this Bylaw; and for the purposes of this Bylaw shall be deemed to include a clear bag of residual waste;

f) "**collectible waste**" means those wastes which are eligible for collection, within the volume and other restrictions outlined elsewhere in this Bylaw, on regularly-scheduled collection days and consists of the following categories of waste:

   i. organic materials (as defined herein);

   ii. recyclables (as defined herein);

   iii. residual waste (as defined herein); and

   iv. bulky waste (as defined herein).

g) "**collection calendar**" means a calendar prepared and distributed by the Town illustrating the collection schedule for the various waste streams and the routes, as amended from time to time (and without restricting the generality of the foregoing, the term collection calendar shall be deemed to include any display thereof on the Town's website);

h) "**commercial container**" means any container used for the storage of properly sorted collectable waste generated from r e s i d e n t i a l , multi-residential, institutional, commercial, industrial or other premises within the Town which waste exceeds the maximums or is outside the types of waste allowed on regular or special collection days as outlined elsewhere in this Bylaw and which container is designed to be emptied by, and the waste transported by, a hauler;

i) "**construction or demolition materials**" means left-over material generated as a result of any form of construction or renovation and materials generated from demolition activity including but not limited to: asphalt, brick, mortar, polystyrene or fiberglass insulation, cellulose, drywall, plaster, shingles, metal and scrap wood – regardless of whether such left- over material is regulated by the Province of Nova Scotia or meets the definition of "C & D Debris" in the N.S.E. 1997 Guidelines for same, but does not include any hazardous or restricted materials such as asbestos;

j) "**container**" means any vessels or bag as described herein which the property owner is responsible to provide and maintain, place for collection and clean up after if waste materials come out of the container whether on the property owner's property or municipal property for collection.

k) "**contaminated soil**" means any soil which has been polluted with an organic or inorganic contaminant in excess of standards prescribed or adopted by the Minister of Environment for the Province of Nova Scotia, and that has caused, is causing, or may cause an adverse effect;

l) "**Council**" means the Council of the Town of Lunenburg;

m) "**dispose**" means any form of disposal of any material, including solid waste as defined herein, and includes burning or any of the following whether temporary or permanent: deposit, storage, placement, or burial regardless of whether or not the material being,

or having been, deposited, stored or placed is in a box, bin, container or any other containment device;

n) "**designated electronic products**" means those electronic products as designated in the Electronic Products Stewardship Program pursuant to the Solid Waste-Resource Management Regulations made under Sec. 102 of the Environment Act of Nova Scotia;

o) "**dwelling unit**" means one or more habitable rooms designed, occupied or intended for use by one or more persons as an independent and separate housekeeping establishment in which kitchen, sleeping and sanitary facilities are provided for the exclusive use of such persons;

p) "**eligible premises**" means a property within the Town which is eligible for collection services – up to the maximum restrictions outlined elsewhere in this Bylaw – and includes all properties in the Town whether located on private roads or public streets;

q) "**food waste**" means uneaten food and food preparation waste and food material that is discarded or unable to be used including, without limiting the generality of the foregoing, fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items;

r) "**green cart**" means an aerated plastic cart designed for the short-term external storage of organic materials prior to collection and for the placing out for collection of same;

s) "**hauler**" means any public or private company or person who transports solid waste from within the Town to Kaizer Meadow (defined herein);

t) "**household hazardous waste**" means any corrosive, flammable or poisonous material or substance such as oil and oil products, radioactive materials, acids, poisons, insecticides or other poisons used for agricultural purposes or for rodent control, any substance or chemical highly lethal to mammalian or aquatic life and any substance or chemical dangerous to the environment – including but not limited to: batteries, left-over liquid paint, left-over corrosive cleaners, pesticides or herbicides, gasoline, fuel oil and used motor oil, solvents and thinners, pharmaceuticals, drugs and needles, aerosol cans which contain hazardous substances, propane tanks and small propane cylinders or canisters such as those used for camp stoves or propane torches;

u) "**leaf and yard waste**" means grass clippings, leaves, twigs, house and garden plants or other similar items as well as branches, limbs or brush – the latter three being subject to special requirements elsewhere in this Bylaw;

v) "**Kaizer Meadow**" means the Kaizer Meadow Environmental Management Centre which is a solid waste management facility and is located at 450 Kaizer Meadow Road, Chester and their designated operator the Municipality of Chester;

w) "**metal items**" means medium to large metal items including metal fencing, water tanks, oil tanks – subject to special requirements elsewhere in this Bylaw – and

metal containers other than containers designed to hold either household hazardous waste (as defined herein) or anything intended for human consumption;

x) "**mini-bin**" means a small plastic container designed for the short-term internal storage of organic materials prior to deposit in a green cart;

y) "**non-collectible waste**" means all material other than collectible waste and, without limiting the generality of the foregoing, includes:

i. highly combustible or explosive materials including, without limiting, fireworks, flares, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;

ii. materials that are considered pathogenic or biomedical including, without limiting, dressings, bandages or other infected materials or sharps discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;

iii. carcasses or parts of any animal except food waste;

iv. waste listed or characterized as hazardous by any Federal or Provincial law – including "household hazardous waste" as defined herein;

v. designated electronic products;

vi. solid waste generated, or originating from, outside the Town;

vii. liquid waste or material that has attained a fluid consistency and has not been drained;

viii. soil, rock and stumps;

ix. construction or demolition materials (as defined herein) – other than the exception as allowed under the definition of "clean-up waste" in this Bylaw;

x. septic tank pumping's, raw sewage or industrial sludge;

xi. radioactive materials;

xii. all passenger tires up to 62.0 cm (24.4 inches) as per the Tire Management Program with the Resource Recovery Fund Board of Nova Scotia;

xiii. industrial waste from factories or manufacturing processes;

xiv. manure, kennel waste, excreta, and fish processing waste but excluding pet litter, pet waste, and diapers;

xv. lead-acid automotive batteries and propane tanks;

xvi. waste which has been placed for collection but not in accordance with the provisions of this Bylaw;

xvii. materials including, without limiting the generality of the foregoing, liquid wastes banned from landfill disposal by the N.S.E. Regulations Respecting Solid Waste-Resource Management, November, 1995, as amended – other than recyclable materials or organic materials from eligible premises; and

xviii. other materials or solid waste as may be identified as unacceptable for municipal collection by the Town, including but not restricted to waste or material identified as non-collectible waste in public education documents distributed by the Town from time to time or referred to in the collection calendar or on the Town website;

z) "non-recyclable paper" means used napkins or paper towel, used fast food wrappers, wax paper, soiled pizza or other take-out food boxes, used paper plates or paper cups, damp or soiled newspaper or flyers, sugar, flour & potato paper bags or other similar items;

aa) "**N.S.E.**" means that department of the Nova Scotia Provincial Government currently called "Nova Scotia Environment" or its successor provincial department should there be a name change;

bb) "**occupant**" means any person who, in addition to or instead of the owner, resides in or occupies or is the lessee of, whether by way of verbal or written lease or other arrangement, a building or on a property located within the Town and includes any assignee or legal representative of same;

cc) "**organic materials**" means food waste (as defined herein), leaf and yard waste (as defined herein), non-recyclable paper (as defined herein), ashes or soot, sawdust (except fine dry sawdust), wood chips, wood shavings and other specific material of plant or animal origin as designated by Council from time to time;

dd) "**owner**" refers to the owner of property and includes a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building; a mortgagee in possession or a person having the care or control of the land or building; and, in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, and an agent, and, in the absence of proof to the contrary, the person assessed for the property;

ee) "**paper recyclables**" means non-soiled mixed paper, corrugated cardboard, boxboard (as defined herein), newsprint, magazines, catalogues, flyers, telephone and other soft cover books, file folders – both traditional and expandable, envelopes (other than padded or bubbled envelopes), non-metallic wrapping paper and paper egg cartons or other similar items as are designated by Council from time to time;

ff) "**Non-Transparent Bag**" means an opaque bag (black or green in colour) containing "residual waste" which has been placed for collection subject to special requirements elsewhere in this Bylaw;

gg) "**recyclables**" means paper recyclables and blue bag recyclables – both as defined herein;

hh) "**regulation container**" means a container, bag or bundle which meets the specifications and other requirements for same – in relation to specific waste types – as outlined elsewhere in this Bylaw;

ii) "**rejected waste**" means any type of waste which has been placed for collection but not in accordance with the provisions of this Bylaw and which has had a rejection sticker affixed thereto or has been otherwise rejected by the Town or its designated agent;

jj) "**residual waste**" means collectible waste other than organic materials (as defined herein) and recyclables (as defined herein) including without restricting the generality of the foregoing, broken bottles, crockery and glassware – subject to special requirements elsewhere in this Bylaw – and floor sweepings (except fine dry sawdust), pet litter, pet waste, light bulbs, disposable diapers, discarded clothing and furnishings, soiled mixed paper, broken toys, mats and small carpets, non-recyclable plastic, non-recyclable packaging including styrofoam and padded or bubbled envelopes, metallic wrapping paper, non- passenger tires, non- repairable household waste [but not including any household hazardous waste (as defined herein) or other non-collectible waste (as defined herein)];

kk) "**solid waste**" means collectible waste, non-collectible waste, all as defined herein and any other waste or discarded tangible personal property but excludes wastes from any industrial activity regulated by way of an approval under the Environment Act;

ll) "**Town**" means the Town of Lunenburg;

mm) "**Town Engineer**" means the person appointed as the Town Engineer for the Town of Lunenburg and includes any person acting under the supervision and direction of the Town Engineer;

nn) "**white goods**" means any large household appliance including but not limited to stoves, dishwashers, washers, dryers, hot water heaters, refrigerators, freezers, dehumidifiers and air conditioners" – the last four (4) being subject to special requirements elsewhere in this Bylaw and it is recommended that any Freon or other refrigerant gas, coolant or CFC be removed before being placed for collection.

**COLLECTION:**

3) Regularly scheduled collection from eligible premises of recyclables subject to restrictions noted elsewhere in this Bylaw shall take place once every two (2) weeks commencing at 6:00 a.m.

4) Regularly scheduled collection from eligible premises of organic materials, and residual waste [and either one bulky waste item (other than a clear bag) or one additional clear bag of residual waste as a bulky waste item], subject to restrictions noted elsewhere in this Bylaw – shall take place on the alternating week commencing at 6:00 a.m. The Town may in its discretion (which

will be noted on the collection calendar) collect organic materials every week during July and August.

5) The alternating bi-weekly nature of the two above-mentioned collections results in a collection of some type(s) of collectible waste once a week.

6) When a normally scheduled collection day falls on a public or statutory holiday, such collection shall be made instead on a date as identified in the Town's collection calendar, unless otherwise specified by the Town Engineer.

7) Collection of natural Christmas trees, subject to the restrictions noted elsewhere in this Bylaw, shall take place annually in the month of January on a date to be specified by the Town Engineer or as noted on the collection calendar.

8) The dates for collection of collectible waste from eligible premises will be as described in a collection calendar, which will also be posted on the Town's website.

**PLACEMENT:**

9)

a) All solid waste to be collected by the Town (including waste from eligible premises on a private road) shall be accessible to the collector within 3.0 meters (9.8 feet) of the curb or travelled portion of the adjacent public street (or adjacent private road, as the case may be) and placed in such a manner as to not interfere with pedestrian traffic and snow removal.

b) Green carts must be placed at the curb (or edge of the travelled portion of the street or private road) in an upright position with the lid closed and the front of the cart facing the street, road or highway.

Notwithstanding the foregoing provisions of this section 9, all solid waste to be collected shall be placed so as not to obstruct the travelled portion of the street or the sidewalk (or the adjacent private road, as the case may be).

c) Persons may only place solid waste for collection in the public street directly abutting the property that generated the solid waste.

10) All regulation or other containers of solid waste placed out to be collected by the Town shall also be placed in an upright position and, in applicable circumstances, with the lid securely closed.

11) The Town Engineer may designate places for collection of solid waste within manufactured home parks.

**CONTAINER REGULATIONS FOR RESIDUAL WASTE:**

12) Residual Waste Bag Container Specifications:

a) Each bag (other than the Non-Transparent Bag Privacy Bag) shall be made of clear transparent (free from colour) plastic, be watertight and be securely tied;

b) Each bag shall be no smaller than 66.0 cm x 91.4 cm (26.0 inches x 36.0 inches) and no larger than 76.2 cm x 121.9 cm (30.0 inches x 48.0 inches);

c) Each bag shall have an overall length of between 0.5 meters (1.6 feet) and 1.2 meters (3.9 feet) when empty; and

d) Each bag, including contents, shall not exceed 25.0 kilograms (55.1 pounds) in weight.

13) Non-Transparent Bag Specifications

a) Each bag shall be made of opaque (black or dark green) plastic, be watertight and be securely tied;

b) Each bag shall be no smaller than 66 cm x 91.4 cm (26.0 inches x 36.0 inches) and no larger than 76.2 cm x 121.9 cm (30.0 inches x 48.0 inches);

c) Each bag shall have an overall length of between 0.5 meters (1.6 feet) and 1.2 meters (3.9 feet) when empty; and

d) Each bag, including contents, shall not exceed 25.0 kilograms (55.1 pounds) in weight.

14) Other Residual Waste Container Specifications

No person shall place, or caused to be placed, residual waste out for collection in any container other than a "regulation container" which is one which meets the following specifications:

a) Regulation containers shall be made of metal, plastic or other impermeable material;

b) Regulation containers shall be watertight, secured with a cover, equipped with handles in good repair and as large or larger at the top as they are at the bottom;

c) Regulation containers shall not be filled above a level 5 cm (2.0 inches) below the top of the container;

d) Each regulation container, including contents, shall not exceed 25 kilograms (55.1 pounds) in weight;

e) Each regulation container shall not exceed 100 liters (105.7 quarts) in volume;

f) Regulation containers shall be maintained in a neat and sanitary condition and kept in good repair; and

g) All waste in a regulation container must be bagged in a clear or Non-Transparent Bag (as authorized in this Bylaw) so that it may be inspected by the collector or other inspector engaged by the Town.

**CONTAINER REGULATIONS FOR RECYCLABLES:**

15) No person shall place, or caused to be placed, recyclables out for collection in any container other than a "regulation container" which is a bag which meets the following specifications:

Blue Bag Recyclables:

a) Each bag shall be watertight, securely tied and of transparent blue plastic;

b) Each bag shall also be no smaller than 25.0 cm x 40.0 cm (9.8 inches x 15.7 inches) and no larger than 75.3 cm x 120.0 cm (29.62 inches x 47.2 inches); and

c) Each bag, including contents, shall not exceed 25 kilograms (55.1 pounds) in weight; and

d) All recyclables must be clean.

Paper:

e) Each bag shall be a plastic opaque bag (such as a grocery bag) or a transparent clear plastic bag;

f) Each bag shall be made of plastic, be watertight and be securely tied;

g) Each bag shall be no smaller than 25.0 cm x 40.0 cm (9.8 inches x 15.7 inches) and no larger than 75.3 cm x 120.0 cm (29.62 inches x 47.2 inches); and

h) Each bag, including contents, shall not exceed 25 kilograms (55.1 pounds) in weight.

**CONTAINER REGULATIONS FOR ORGANIC MATERIALS:**

16) No person shall place, or cause to be placed, organic materials out for collection in any container other than a "regulation container" in the form of a green cart.

17) Notwithstanding section 16 hereof, special container requirements are applicable for leaf and yard waste as described under PREPARATION of SPECIFIC WASTE below and there are specific controls on natural Christmas trees under COLLECTION OF NATURAL CHRISTMAS TREES below.

**COMMERCIAL CONTAINERS SPECIFICATIONS:**

18) Commercial containers shall:

a) Be sturdily constructed of weather-proof material and shall be water tight;

b) Be inaccessible to pests, rodents, vermin, seagulls or animals;

c) Be equipped with a tight fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;

d) Be kept in a clean manner and in a sanitary condition;

e) Be kept in a state of good repair;

f) Have displayed thereon the name and telephone number of the owner of the container and the type of material to be deposited therein;

g) Have displayed thereon the following message "GARBAGE" or "LANDFILL", where institutional, commercial or industrial waste is to be deposited in the commercial container;

h) Have displayed thereon the following message "RECYCLABLES", where blue bag recyclables are to be deposited in the commercial container;

i) Have displayed thereon the following message "PAPER" or "CARDBOARD", where fiber recyclables are to be deposited in the commercial container; and

j) Have displayed thereon the following message "ORGANICS", where organic materials are to be deposited in the commercial container.

**PREPARATION of SPECIFIC WASTES**

Leaf and Yard Waste

19) Leaf and yard waste may be deposited into a green cart so long as the cover of same is completely closed.

20) Leaf and yard waste may also be deposited into paper bags.

21) Branches and limbs or brush, of a maximum length of 900.0 mm (3.0 feet) and maximum individual diameter of 50.0 mm (2.0 inches) may be tied in manageable bundles or inserted into bags as outlined above and outlined under Collection of Leaf and Yard Waste later in this Bylaw.

Bottles or Glassware

22) Broken bottles and glassware shall be sealed in a cardboard box or bucket or other non-bag container and clearly identified– by noting, in large capital letters, on the outside of the bundle the words "BROKEN GLASS" – a warning to collection personnel.

Ashes or Soot

23) Ashes or soot shall be completely cooled for a minimum of two (2) weeks, dampened down and placed in paper bags folded over and ~~and~~ clearly marked as ashes for collection on compost collection day.

Cardboard

24) Corrugated cardboard shall be flattened out and securely tied in convenient bundles weighing no more than 25.0 kilograms each (55.1 pounds) and being a maximum of 900.0 mm by 600.0 mm (3.0 feet x 2.0 feet) in area and no more than 600.0 mm (2.0 feet) thick.

**GREEN CARTS:**

25)

a) Every owner or occupant shall provide sufficient and specified green carts for the storage and disposal of organic waste generated from his or her premises and maintain such green carts in good repair and sanitary condition. Those green carts shall remain the property of the said owner or occupant.

b) Notwithstanding subsection 25(a), the Town at its discretion, may supply green carts to newly constructed buildings. Any green carts distributed by the Town (whether before or after the passage of this Bylaw) shall remain the property of the Town and shall remain at the premises for which the green cart was supplied. The owner and the occupant of the premises shall maintain the said green cart supplied by the Town, and if requested by the Town, shall replace same.

26) To comply with the preceding section a green cart shall be:

a) of 120-litre or 240-litre capacity;

b) either of the aerated or ventilated type;

c) dark green in colour;

d) manufactured by SSI Schaefer or Town approved equal; and

e) designed to be emptied by a hydraulic lifting device.

27) Every owner or occupant of the following types of dwellings shall provide the number of green carts as outlined below. In all cases the building owners are to ensure adequate number of green carts is provided.

| | |
|---|---|
| a) single-unit building | I green cart per dwelling unit (140 or 240 litre |
| b) 2 unit building | 1 green cart per each unit (140 litre or 240 litre |
| c) buildings of 3 to 5 units | 2 green carts per building (240 litres |
| d) buildings of 6 to 10 units | 3 green carts per building (240 litre) |
| e) buildings of 11 to 20 units | 4 green carts per building (240 litre) |

f) building of over 20 units — 5 green carts per building (240 litre)

g) senior's apts. of more than 20 units — 5 green carts per building (240 litre)

**RESTRICTIONS:**

28)

a) No person shall place, or cause to be placed, residual waste per any one eligible premises out for collection on any one collection day the cumulative weight of which, including containers, exceeds 100.0 kilograms (220.5 pounds) excluding bulky waste items.

b) No person shall place, or cause to be placed recyclables per any one eligible premises out for collection on any one collection day the cumulative weight of which, including containers, exceeds 100 kilograms (220.5 lbs.)

29) No person shall place, or cause to be placed, leaf and yard waste from any one eligible premise out for collection on any one collection day which exceeds a maximum of six (6) bags and/or bundles.

30) No person shall place, or cause to be placed, residual waste from any one eligible premise out for collection on any one collection day which exceeds a maximum of six (6) bags excluding bulky waste items.

31)

a) No person shall place, or cause to be placed for collection more green carts per any one dwelling unit than the number prescribed in section 27 above on any one collection day and the combined weight of a cart and its contents shall not exceed 110 kilograms (242.5 lbs.).

b) No person shall place or cause to be placed for collection more than one (1) green cart per any eligible premise which is not a dwelling unit on any one collection day and the combined weight of a cart and its contents shall not exceed 110 kilograms (242.5 lbs.).

32) Solid waste placed for collection:

a) shall not exceed 150 kilograms (330.7 lbs.) in total excluding green carts and bulky waste as set out herein per each eligible premise per week;

b) shall not exceed 2 cubic meters in total volume excluding green carts and bulky waste per each eligible premise per week;

c) shall not exceed a length of 900 mm (35.4 inches) for any single, individual piece of solid waste with the exception of bulky waste; and

d) for bulky waste shall not exceed 100 kilograms (220.5 lbs.) in total.

33) No person shall place, or cause to be placed, more than one (1) Non-Transparent Bag per any one eligible premise out for collection on any one collection day for residual waste.

34) No person shall place, or cause to be placed, residual waste out for collection on any one collection day in a "storage" container which is not a clear transparent bag, free from colour, in which its contents are not visible (except for authorized Non-Transparent Bags as outlined elsewhere in this Bylaw), provided that the bag may be placed inside a regulation container as referred to in Section 14 of this Bylaw.

35) Non-Transparent Bags

a) Notwithstanding Sections 33 and 34, residents who require more than one Non-Transparent Bag in order to dispose of medical and/or health related waste may make application to the Town Engineer by Application Form attached as Schedule A hereto, and the Town Engineer after considering the necessity therefor, may grant the resident approval to place, or cause to be placed, a greater number of Non-Transparent Bags per any one dwelling unit out for collection on any one collection day for a period of up to 2 years;

b) No person from that dwelling unit shall place, or cause to be placed, out for collection on any one collection day a greater number of Non-Transparent Bags than were authorized, upon application, by the Town Engineer.

c) No person shall place in a Non-Transparent Bag anything proscribed in the application form or in the approval granted by the Town Engineer

36) Notwithstanding Sections 33 and 34:

a) If a business has a public waste container on its property for mixed waste brought onto the premises by customers (and not generated on the premises) the owner or occupant may make application to the Town Engineer by Application Form attached as Schedule B hereto for the placement of additional Non-Transparent (black or dark green) plastic bag(s) for collection. The Town Engineer upon such Application, and after considering the necessity therefor, may grant the business approval to place or cause to be placed for collection on any one collection day, one (or a greater number) of Non-Transparent (black or dark green) plastic bags for mixed waste in addition to the Non-Transparent Bag authorized under this Bylaw.

b) No person from that business shall place or cause to be placed out for collection on any one collection day a greater number of mixed waste Non-Transparent (black or dark green) plastic bags than were authorized upon Application by the Town Engineer.

c) No person shall place in any such mixed waste bag anything proscribed in the Application Form or in the approval granted by the Town Engineer.

**REJECTION OF WASTE:**

37) Any type of waste which has been set out for collection is subject to inspection by the Town or its designated agent and any such waste found or deemed by same to be set out in violation of the requirements of this Bylaw may be rejected and not collected.

38) Any waste which is so rejected may have placed on it a Rejection Sticker indicating the reason or reasons for rejection and information as to how to rectify same or get direction to rectify the problem, (although the Town or any person designated by it may otherwise reject solid waste without affixing a rejection sticker).

39) Any rejected waste shall remain the property of the owner or occupier, and shall be disposed of as permitted by this Bylaw.

**PROHIBITIONS SPECIFIC TO COLLECTIONS:**

40) No person shall place, or cause to be placed, any collectible waste out for collection before 6:00 pm of the day immediately preceding the day scheduled for collection of that solid waste stream.

41)

a) No person shall place, or cause to be placed, any collectible waste out for collection after 6:00 a.m. of the day scheduled for collection.

b) Any waste placed out for collection after 6:00 a.m. may not be collected if the collection contractor has already passed that property.

c) If any waste is placed out for collection after 6:00 a.m. and it is not collected by the collection contractor, it shall be removed from the public street and properly stored on the private property from which the waste originated.

42) The two immediately preceding sections may be altered by written permission of the Town Engineer.

43) No person shall permit any empty or rejected regulation container or any rejected materials or waste to remain at the collection placement spot after 12:00 noon of the day following the day scheduled for collection.

44) No person shall place, or cause to be placed, any non-collectible waste out for collection.

45) No person shall place any garbage box or other container for holding waste between collection days on a street right-of-way.

**COLLECTION OF BULKY WASTE:**

46) No person shall place, or cause to be placed, bulky waste out for collection except in accordance with the following restrictions:
    a) It is recommended that any Freon or other refrigerant gas, coolant or CFC be removed from a refrigerator, freezer, dehumidifier or air conditioner prior to being placed out for collection and any refrigerator or freezer shall have its doors already removed.

47) No person shall place, or cause to be placed, bulky waste out for collection except in accordance with the following restrictions:

    a) such waste, when consisting of more than one article, shall be packaged, bundled or boxed so as to facilitate removal and handling in order to constitute one item; and

    b) the individual package, bundle or box shall not exceed 100 kilograms (220.5 lbs.) in weight; and

    c) the individual package, bundle or box shall not exceed 1.8 meters (5.91 feet) in any dimension.

48) No person shall place, or cause to be placed, bulky waste out for collection on any one day the total of which exceeds 2.0 $m^3$ in total volume.

49) No person shall permit any rejected waste to remain at the collection placement spot after 12:00 noon of the day immediately following the day designated by the Town Engineer for collection of same.

**SPECIAL PROVISIONS FOR LEAF AND YARD WASTE:**

50) No person shall place, or cause to be placed leaf and yard waste out for collection except on a day designated for organic waste and in accordance with the following restrictions:

    a) if not in a green cart, such waste shall (save for bundled branches/ limbs) be contained in securely tied paper bags of a dimension no less than 66.0 cm by 91.0 cm (26.0 inches by 36.0 inches) nor greater than 76.2 cm x 121.9 cm (30.0 inches x 48.0 inches) and shall not exceed a weight of 25.0 kg (55.1 pounds);

    b) bundled branches/limbs not exceeding 900.0 mm (3.0 feet) in length with individual limbs not exceeding 50 mm (2 inches) in diameter;

    c) each bag or bundle shall not exceed a weight of 25.0 kg (55.1 pounds); and

    d) the total of such waste shall not exceed 2.0 cubic meters (2.6 cubic yards) in total volume.

**COLLECTION OF NATURAL CHRISTMAS TREES:**

51) No person shall place, or caused to be placed, a natural Christmas tree out for collection except on a day designated by the Town Engineer for collection of same and in accordance with the following restrictions:

    a) It is to be unpackaged and undecorated, including the removal of all lights and any tree stand;

    b) It shall have no wires or nails attached; and

    c) It must not exceed 3.0 meters (9.8 feet) in length.

52) No person shall place, or cause to be placed, any natural Christmas tree out for collection before 6:00 pm of the day immediately preceding the day designated by the Town Engineer for collection of same.

53)

    a) No person shall place, or cause to be placed, any natural Christmas tree out for collection after 6:00 AM of the day designated for collection of same.

    b) Any natural Christmas tree placed out for collection after 6:00 a.m. may not be collected if the collection contractor has already passed that property.

    c) If any natural Christmas tree is placed our for collection after 6:00 a.m. and it is not collected by the collection contractor, it shall be removed from the public street and properly stored on the private property from which the Christmas tree waste originated.

54) No person shall permit any rejected natural Christmas tree to remain at the collection placement spot after 12:00 noon of the day immediately following the day designated for collection of same.

**RESPONSIBILITIES OF OWNERS and OCCUPANTS:**

55) Every owner and occupant shall:

    a) Ensure that collectible waste and clean-up waste is placed for collection in accordance with this Bylaw;

    b) Use only regulation containers for the storing and placement for collection of collectible waste;

    c) Provide a sufficient number of regulation containers to contain all of the collectible waste generated at the subject premises between regularly scheduled collection dates;

    d) Maintain such regulation containers in good repair, and in a clean and sanitary condition;

e) Take all reasonable measures to ensure that each regulation container is covered and secured

f) at all times except when being emptied or filled;

g) Clean up any type of collectible waste which has escaped from its container, package, bundle or box, (and any Clean-Up Waste which has escaped from its container, package, bundle or box) – whether it be a regulation container or not;

h) If collectible waste is stored outside the main building on the eligible premises it is to be stored in one or more secured regulation containers or an approved storage bin – in either case made inaccessible to pests, rodents, vermin, seagulls or animals;

i) Ensure that any approved storage bin serving that premise is maintained at all times in a neat and sanitary condition and in good repair;

j) Store any waste refrigerator or freezer either inside an enclosed and locked building or with the doors of the refrigerator or freezer removed;

k) Ensure the proper preparation of all collectible waste in accordance with this Bylaw; and

l) Abide by all lawful directives of the Town, or designated agents with regard to the handling of solid waste materials.

**COMMERCIAL CONTAINERS:**

56) The owner or occupier of any premises on which a commercial container is placed shall keep each commercial container behind, or beside, the building which it serves so as to reduce visibility from the street and adjacent properties.

57) Where the commercial container is placed on premises which are located in a residential zone pursuant to the Town's Land Use Bylaw or adjacent to a property which is zoned residential or contains a residential use, the commercial container shall be kept not less than 3.0 meters (9.8 feet) from the adjacent property lines.

58) Where the owner or occupier of any premises is unable to comply with the requirements of the two (2) immediately preceding sections because of the location of a building on the premises, which building was in existence at the time of the adoption of this Bylaw, the owner or occupier shall keep the commercial container at a location on the premises which is considered by the Town Engineer to not be unsightly and to cause neither a nuisance nor a health related problem.

59) Any temporary commercial container used during construction or repair work shall be subject to the following requirements:

a) no solid waste shall extend beyond the internal volume of the container;

b) the temporary commercial container shall be removed immediately upon completion of the construction or repair work; and

c) the temporary commercial container shall be emptied as often as required to avoid over-filling of the same.

60) An owner or occupier of any premises on which a commercial container is located shall not permit the commercial container to be loaded other than uniformly and ensure that no solid waste extends beyond the internal volume of the container.

61) An owner or occupier of any premises on which a commercial container is located:

a) shall place same only on a surface which is hard, level and weather-resistant;

b) shall keep the area surrounding the container free from litter and waste; and

c) shall cause the container to be emptied on a regular basis, as required.

62) Where a person proposes to locate a temporary commercial container within the right of way of a public street in the Town, that person shall submit a request for doing so, to the Town Engineer, outlining the exact proposed location and the estimated time that the container will be required to be there and any other details as requested by the Town Engineer. The person must receive permission from the Town Engineer, outlining the exact location to be used, and other salient details, and agree to pay a fee set by Resolution of Council if parking spaces are impeded, prior to so locating a commercial container.

**HAULERS:**

63) All private collections of solid waste shall be undertaken in compliance with relevant Federal/Provincial/Municipal statutes and regulations.

64) All private collection vehicles shall:

a) be maintained in good condition and be properly manned and equipped to ensure safe collection of solid waste;

b) comply with the Motor Vehicle Act and any other regulations or legislation in effect from time to time;

c) be designed so as to prevent any contents (including liquids) from falling out, being spilled, or scattering from the vehicle whether in motion or not;

d) if used in the collection of more than one type of waste, be constructed to prevent cross-contamination between the various waste streams;

e) be equipped with a tailgate or other restraining device; and

f) be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover solid waste while it is being transported.

65) All private collection of any solid waste shall be made directly to the private collection vehicle from the premises where the same was generated.

66) All solid waste collected through private collections, and which is to be delivered to a solid waste management facility, including but not limited to Kaizer Meadow, shall be in compliance with the Regulations promulgated by the operator of that site, regarding acceptance and receipt of solid waste at that site.

67) In the event of any spillage, the vehicle operator shall be responsible for the clean-up which shall be undertaken immediately.

**DESIGNATED ELECTRONIC PRODUCTS:**

68) No person shall place designated electronic products out for collection.

69) Every owner or occupant may deliver designated electronic products to a recognized electronics return collection facility in Nova Scotia for reuse or recycling.

**HOUSEHOLD HAZARDOUS WASTE:**

70) Every owner or occupant shall store any residentially-generated household hazardous waste in a safe and secure manner and place and shall deliver same, as soon as is reasonably possible, to the Household Hazardous Waste Depot ("HHW Depot") at Kaizer Meadow, (or to any other approved Household Hazardous Waste Depot which will accept same).

71) No person shall dispose of, or cause or permit the disposal of, household hazardous waste at any location within the Town.

**CONSTRUCTION OR DEMOLITION MATERIALS:**

72) Every owner or occupant shall deliver any construction or demolition materials – over and above those collected by the Town – to the appropriate area or site within Kaizer Meadow or an approved C&D debris disposal site.

73) No person shall dispose of construction or demolition materials by stock-piling, storing or any other method.

**KAIZER MEADOW ENVIRONMENTAL MANAGEMENT CENTRE:**

74) The Town Council has designated the Kaizer Meadow Environmental Management Centre ("Kaizer Meadow") as the receiving site for solid waste generated by its residents, within the restrictions as set in this Bylaw and other restrictions as set by the operator of Kaizer Meadow.

75) The operator or other authorized staff of Kaizer Meadow may refuse to accept a load of solid waste for the following reasons:

    a) solid waste other than that which Kaizer Meadow has been approved to accept; or

b) it is a load for which a tipping fee, whether set or negotiated, has not yet been paid to Kaizer Meadow; or

c) it is a load for which tipping fee payment arrangements satisfactory to the operator or other Kaizer Meadow authorized staff have not yet been agreed to, reduced to writing and signed by both parties.

76) No person shall dispose of, or cause or permit the disposal of, any type of solid waste outside, around or adjacent to Kaizer Meadow in the following circumstances:

a) when Kaizer Meadow is not open and operational; or

b) after the operator or authorized staff of Kaizer Meadow has refused to accept same.

77) All collection vehicles shall be equipped with a tailgate or other restraining device; and be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover solid waste while it is being transported from Kaizer Meadow front gates to the scale house.

**LEGAL and ILLEGAL DISPOSAL:**

78) With the exception of the placement of solid waste for collection in accordance with this Bylaw, and the delivery of designated electronic products or household hazardous wastes to depots or other disposals allowed for in this Bylaw, no person shall dispose of, or cause or permit the disposal of, collectible waste, clean-up waste or non-collectible waste at any location or manner in the Town except as follows:

a) backyard composting carried out in such a manner as to not constitute a nuisance;

b) subject to Federal or Provincial law to the contrary, the disposal of waste trees, brush or portions thereof or other organic farm or forestry waste on privately-owned forest or farm land in such a manner as to not constitute a nuisance;

c) subject to Federal or Provincial law or other Municipal Bylaws to the contrary, the disposal of aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials as fill in such a manner as to not constitute a nuisance.

79) No person shall dispose of, or cause or permit the disposal of, any solid waste in an approved storage bin unless that person is, or has the permission of, the owner of said bin and the bin is located on the property where the waste is generated.

80)

a) No person shall dispose of, or cause or permit the disposal of, any non-collectible waste or rejected solid waste on another private property or on public property.

b) No person shall dispose of or cause or permit the disposal of non-collectible waste within the Town.

c) waste shall be stored on the property where it was generated.

81) No person shall dispose of, or cause or permit the disposal of, construction or demolition materials at any location other than at Kaizer Meadow or an approved C&D debris disposal site.

82) Proof that any type of solid waste, which was disposed of in contravention of this Bylaw, originated from a particular person, from the residence of a particular person, or from a particular premise shall, in the absence of evidence convincing a court to the contrary, be evidence sufficient for a court to infer that the said person – or the owner or current occupant of said residence or premises– was the person who disposed of that solid waste, or a portion of same, or caused or permitted it to be disposed of.

**GENERAL PROHIBITIONS:**

83) Where an owner or occupier properly places any authorized form of solid waste out for collection by the Town's contractor the said solid waste becomes the property of the Town.

84) No person shall pick over, remove, collect, disturb or otherwise interfere with any type of solid waste or regulation container which has been placed out for collection.

85) No person shall pick over, remove, collect, disturb or otherwise interfere with any type of solid waste or regulation container which has been placed in an approved storage bin.

86) The prohibitions in the immediately preceding three sections do not apply to the following circumstances:

a) removal by authorized personnel when acting on behalf of the Town; or

b) waste wood material, appliances or furniture,; and any other materials placed out as bulky waste items;

c) leaf and yard waste.

87) In the event of any removal, collecting or disturbing by any person as authorized by the immediately preceding section, all remaining materials shall be left by that person in an orderly condition and placed so as to not interfere with pedestrian or vehicular traffic.

88) No person shall dispose of any type of solid waste by the burning of same.

89) No person shall place any solid waste generated from outside the Town for collection within the Town.

**ENFORCEMENT and PENALTIES:**

Illegal Dumping

90) Any person who disposes of, or permits the disposal of, any solid waste other than in accordance with this Bylaw is guilty of a summary offense and is liable, upon conviction, to a fine

of not less than Two Hundred Dollars ($200.00) and not more than Five Thousand Dollars ($5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.

Other Provisions

91) Any person who violates any other provision of, or permits any other thing to be done in violation of, this Bylaw is guilty of a summary offense and is liable, upon conviction, to the following:

    a) for a first offense, a fine of not less than Two Hundred Dollars ($200.00) and not more than One Thousand Dollars ($1,000.00) and in default of payment thereof to a term of imprisonment not to exceed thirty (30) days;

    b) for a second offense, a fine of not less than Three Hundred Dollars ($300.00) and not more than Two Thousand Dollars ($2,000.00) and in default of payment thereof to a term of imprisonment not to exceed sixty (60) days;

    c) for each subsequent offense, a fine of not less than Five Hundred Dollars ($500.00) and not more than Five Thousand Dollars ($5,000.00) and in default of payment thereof to a term of imprisonment not to exceed ninety (90) days.

92) Any person who obstructs or hinders any person in the performance of their duties under this Bylaw is guilty of a summary offense and is liable, upon conviction, to a fine of not less than Two Hundred Dollars ($200.00) and not more than Five Thousand Dollars ($5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.

93) Where a person is convicted of an offence under this Bylaw and the court is satisfied that, as a result of the commission of the offence, clean-up or site remediation costs were incurred, whether by the Municipality or by a person, the Court may order the offender to pay, in addition to all other fines and penalties, restitution to the Municipality or person in an amount equal to the said clean-up or remediation costs.

94) Pursuant to the provisions of the Municipal Government Act, in addition to a fine imposed for a violation of this Bylaw a judge may order the imposition of a penalty in relation to any fee, cost, toll, or charge associated with the conduct that gave rise to the offence.

95) Pursuant to the provisions of the Municipal Government Act, in addition to a fine imposed for violation of this by-law a judge may order compliance with this Bylaw within a specified time.

96) Each day that a person commits any offence under this Bylaw constitutes a separate offence.

97) Where a breach of this Bylaw is anticipated or is of a continuing nature, the Town may, pursuant to the provisions of the Municipal Government Act, apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order and the judge may make any order that is appropriate under the circumstances.

**ADMINISTRATIVE TICKETING:**

98) In lieu of prosecution under this Bylaw the Town or its designated agent may issue to any person it believes, upon reasonable grounds, has committed an offence under this Bylaw a Notice of Alleged Violation allowing the person to whom it is directed to avoid possible prosecution by means of the voluntary payment of a sum of money.

99) Any person who receives a Notice of Alleged Violation in relation to this Bylaw and where the said Notice so provides, may pay a penalty in the amount of One Hundred Dollars ($100.00) to the office of the Town Clerk provided that said payment is made within fourteen (14) days of the date of issuance of the Notice and said payment shall be in full satisfaction thereby releasing the person named from prosecution for the said alleged violation.

100) Nothing in this Bylaw requires the Town to issue a Notice of Alleged Violation in lieu of initiating a prosecution in relation to an alleged violation.

**MEASUREMENTS**

101) All measurements in this Bylaw are given in metric, which shall govern for the purposes of interpretation and enforcement of this Bylaw. Imperial measurements are included in parentheses for ease of reference only, and in some instances are only approximate.

**REPEAL:**

102) The existing Solid Waste Collection Bylaw# 38, of the Town of Lunenburg (and all amendments thereto) are hereby repealed.

Clerk's Annotation for Official Bylaw Books Date of first reading:

Date of advertising of Notice of Intent to Consider:

Date of second reading:

Advertisement date of Bylaw passage and effective date:

Mailing date to Department of Municipal Affairs three (3) certified copies of Bylaw:

I certify that this Solid Waste Management Bylaw was adopted by Council and published as indicated above.

_____ _____

Clerk Date

**SCHEDULE A**
**Town of Lunenburg Additional**
**Non-Transparent Bag Application**

Residents may apply for additional Non-Transparent bag(s) for wastes generated due to medical or health-related issues. Non-Transparent bag(s) used for this type of waste disposal should be opaque (black or dark green) plastic bags. Approved applicants will be permitted to place additional Non-Transparent bag(s) out for collection on their collection day. Additional Non-Transparent bag(s) must be approved before placing them at the curb for collection. A Privacy Bag application must be completed every two years for continued use of additional Non-Transparent bags.

Please provide the following information:

Resident Name:_____Resident Phone Number: _____

Resident's e-mail address: _____

Types of wastes to be placed in Non-Transparent bags(s):_____

Number of additional Non-Transparent bag(s) being requested: _____

Resident's Civic Address:_____

Are you the property owner? [ ] Yes [ ] No

If you are not the owner, please provide the following information:

Property Owner's Name _____
Property Owner's Phone Number:_____

Property Owner's e-mail address: _____

Date of Application: _____

Please return the completed form in one of the following ways:

By mail: Town of Lunenburg, PO Box 129, Lunenburg, Nova Scotia, BOJ 2C0,

Attention: Town Engineer, 902 634 8992.

(See: next page for additional information)

**Please note of the following:**

All wastes including organics, recyclables, garbage, paper and cardboard must be sorted correctly in accordance with the Town's Solid Waste Bylaw even if have been approved for additional Non-Transparent bag(s).

Garbage bags (clear or opaque) cannot contain:

- Saturated, blood-soaked gauze and dressings (excess blood must be squeezed from dressings into toilet/sink, once squeezed, dressings are placed a garbage bag)
- Fluid-filled or blood-filled medical tubing or dialysis tubing (fluids must be emptied into toilet/sink, once emptied, tubing is placed in a garbage bag)
- Sharps, needles and lancets for blood testing (return to pharmacy for disposal)
- All unused medications (return to pharmacy for disposal)

Hazardous wastes must be taken to the Household Hazardous Waste Facility at Kaizer Meadow Environmental Management Centre which is located at 450 Kaizer Meadow Road, Chester, Nova Scotia, as such wastes cannot be collected with regular garbage.

Note: Non-Transparent bag(s) are subject to inspection by the collection contractor or curbside waste inspector.

## SCHEDULE B

## TOWN OF LUNENBURG
## MIXED WASTE BAG APPLICATION – PUBLIC WASTE ON BUSINESS PROPERTY

[Businesses may apply to the Town Engineer for approval to place mixed waste opaque (black or dark green) plastic bags out for collection where the business has a public waste container on its property for mixed waste brought onto the premises by customers (and not generated on the premises). **The use of mixed waste bags must be approved by the Town Engineer before placing them at the curb for collection.** A mixed waste bag application must be completed every two years for continued use of mixed waste bags.]

Please provide the following information:

Business Name:_____Business Phone Number _____

Business e-mail Address: _____

Types of wastes to be place in mixed waste bag(s):

_____

_____

Location of Container receiving public waste: _____

Number of Mixed Waste bag(s) being requested: _____

Business Civic Address: _____

Are you the property owner? [ ] Yes [ ] No

If you are not the owner, please provide the following information:

Property Owner's Name: _____
Property Owner's Phone Number: _____
Property Owner's e-mail address: _____

Name of occupant of premises: _____

Name of Applicant (owner and/or occupant) _____

Please return the completed form in one of the following ways:
By mail: Town of Lunenburg, PO Box 129, Lunenburg, Nova Scotia, B0J 2C0, Attention: Town Engineer.

Please note the following: Waste which is prohibited pursuant to the Bylaw may not be placed in a mixed waste bag(s).

SCHEDULE "B"

*Draft Policy further revisions for July 16, 2020*
*General Government Committee meeting review*

# # TOWN OF LUNENBURG PROCEDURAL POLICY

## COMMITTEES OF COUNCIL

## PURPOSE

1. This Policy describes the structure, composition and role of Committees established and appointed by the Town of Lunenburg ("Town") Council ("Council"). The Policy applies to Committees in which all or some of the voting Committee members are Council members including the Mayor and/or Councillors.

## PROCEDURE

2. The following provisions shall apply to all Committees established by this Policy, except where this Policy, another Town Policy, Bylaw or the Municipal Government Act specifically provides otherwise.

3. Committee membership shall be annually reviewed by Council and within three months following each municipal general election or election anniversary. Council may also replace at any time Committee members who resign or who, in Council's opinion, are unable or unwilling to discharge their duties, or who fail to attend diligently to the Committee's affairs or otherwise to seek a change in Committee composition. Council shall also appoint such members of external Committees and Boards (Schedule "A" chart updated from time to time by motion of Council) as it is authorized to do under Town or Provincial legislation and inter-governmental agreements.

4. The Mayor shall be an ex officio member of any Town Committee to which the Mayor is not already appointed and may fully participate, but may only vote at these meetings if it is necessary to achieve a quorum.

5. Council may seek unelected resident Committee members as set out in this Policy by advertising same on an annual basis or such other interval as Council determines by motion. Citizens interested in serving on Town Committees will complete the Town's application form. Qualified Town resident applicants, and non-resident applicants if there are insufficient Town resident applicant numbers, will be selected for Committee(s) appointment at a public Council meeting by Council ballot.

6. The Mayor shall recommend to Council the appointment of Councillors to Committees and external Boards and Committee for approval by motion of Council. These appointments may be reviewed within a term as determined by Council as set out herein.

7. Committee members shall be reimbursed their reasonable expenses for attending Committee meetings held outside the Town at such rate as prescribed by Town Policies.

8. Committee and external Board citizen members may receive an annual honourarium as set out in Town Policy and/or budget.

9. Council shall appoint a Council member to serve as Chair of each Committee which shall typically be done during the annual review of Committee appointments as set out herein. The Chair of the Audit Committee shall not be a Town signing authority for banking or cheque signing purposes. The Committee Chair shall be entitled to speak and to vote on any motion before their Committee(s). The Committee Chair shall also have the powers and responsibilities at Committee meetings that are conferred upon the Chair at Council meetings pursuant to the Town's Bylaws and Policies. If the Chair is absent from a meeting, the Committee members may elect a Chair pro tempore for that meeting who shall have the same authority as the Chair for the duration of this meeting only.

10. The Chief Administrative Officer ("CAO") or their designate shall serve as Committee Secretaries, with a voice relating to procedural matters, but no vote. The Committee Secretary shall prepare the agenda in consultation with the Committee Chair and will maintain and circulate Committee agendas, minutes and other relevant records.

11. Committees shall meet at such time and place as annually determined by Council and at such other time and place as Council and/or Committees may determine to accomplish Committee objectives.

12. Committees may utilize the following Town resources to accomplish their mandate unless the CAO or Council determine that there are insufficient resources:

    a. Town's facilities and supplies for meetings, photocopying, postage and other administrative needs reasonably necessary and budgeted;
    b. external services reasonably necessary and budgeted;
    c. Town staff advice and support; and
    d. other resources reasonably necessary and budgeted.

13. A Committee cannot take action on any matter which Council has not previously delegated the authority to it. A Committee may only make recommendations to Council to take action.

14. All Committee meeting minutes and records shall be open to the public except as expressly authorized by law.

15. A quorum of the Committee shall be the same as that which applies to Council pursuant to Provincial legislation, with any necessary changes for context, e.g., ex officio members.

16. Each Committee member, including the Chair, shall have one vote and there shall be no proxy or alternate voting.

17. Subject to the other provisions of this Policy, the rules of procedure, conduct and debate that apply at Council meetings pursuant to Town Policies and Provincial legislation, apply at Committee meetings with any necessary modifications for context, except that no notices of reconsideration or rescission shall be permitted at Committee meetings.

18. In the event a Committee fails to provide a recommendation to Council within a deadline set by Council, Council may proceed with a decision regarding a matter within the Committee's mandate without awaiting the Committee's recommendation.

19. Council hereby confirms the following standing Committees and their respective responsibilities as described.

## Audit Committee

20. The responsibilities of the Audit Committee are to:

    a. conduct a detailed review of the Town financial statements with the Town Auditor;
    b. evaluate internal control systems and management letter with the Town Auditor;
    c. conduct a review of the conduct and adequacy of the audit;
    d. consider such matters arising out of the audit as may appear to the Audit Committee to require investigation;
    e. review other matters as may be determined by Council to be the duties of the Audit Committee and any other matters; and
    f. take such other action not inconsistent with this Policy that the Committee reasonably deems necessary to carry out its mandate in accordance with Town Policies and Bylaws and the Municipal Government Act.

21. The Audit Committee shall be comprised of all members of Council and a minimum of one resident at large appointment who is not a member of Council or staff. Resident appointees shall possess knowledge and understanding of financial and investment matters as evidenced in their Committee application form.

22. Council shall advertise for resident Audit Committee applications before December 31 every two years. The resident Committee member(s) shall be selected by Council as noted herein with the exception that this shall be a two year appointment.

23. The CAO, Finance Director and Accountant shall be non-voting members of the Audit Committee. Through the CAO the Committee may request additional members of the Town's senior management staff to attend Committee meetings.

24. The Audit Committee Chair shall be a member of Council bi-annually appointed by Council as set out in section 9. The Committee Chair will make periodic reports to Council on matters relating to the Committee's work progress.

25. The Audit Committee shall meet at least twice per year as called by the Chair in consultation with Town staff to receive and review the completed Town audit with the Town Auditor and to carry out its additional Municipal Government Act duties.

## General Government Committee

26. The responsibilities of the General Government Committee are to:

    a. discuss, consider, advise and make recommendations to Council concerning Town Policies, Bylaws and related matters referred to the Committee by Council;
    b. review and recommend the General Government Services budget to Council; and
    c. consider annual Town grant applications and recommend same to Council.

27. The Chair of the General Government Committee is the Deputy Mayor.

28. The General Government Committee consists of all Council Members and membership on the Committee automatically extends to Council Members without the necessity of formal appointment by Council and automatically terminates when the person is no longer a Council member.

## Heritage Advisory Committee

29. The responsibilities of the Heritage Advisory Committee are to:

    a. carry out their duties described in the Town's Heritage Property Bylaw and Provincial Heritage Property Act;
    b. advise Town Council respecting:
        i. the inclusion of buildings, streetscapes and areas in the Town Registry of Heritage Property;
        ii. an application for permission to alter substantially or demolish a Town Heritage Property;
        iii. building or other regulations that affect the attainment of the intent and purpose of the Town Heritage Property Bylaw and Heritage Property Act; and
        iv. any other matters conducive to the effect of carrying out the intent and purpose of the Town Heritage Property Bylaw and Heritage Property Act.

30. The Heritage Advisory Committee is comprised of six members all of whom shall be residents of the Town and appointed by Council for a two year term. Two members of the Committee shall be members of Council, two shall be members of the Lunenburg Heritage Society or individuals who have otherwise demonstrated active interest in the preservation of buildings of historic significance, and two members of the Committee shall be appointed at large.

## Planning Advisory Committee

31. The provides that the responsibilities of the Planning Advisory Committee are to:

    a. carry out the Planning Advisory Committee duties set out in the NS Municipal Government Act;
    b. advise Council respecting the preparation and amendment of planning documents and general planning matters; and
    c. conduct a review of and proposed amendments to the Town's Municipal Planning Strategy, Land Use By-law and Subdivision By-law and other relevant planning matters.

32. The Planning Advisory Committee is comprised of at least four residents appointed for two year terms and three Council members as determined by Council.

## Protective Services Committee

33. The Protective Services Committee responsibilities are to advise Council regarding:

    a. oversight of the volunteer firefighting force and their training, buildings and equipment, fire alarm systems, fire investigations and prevention, water supply and hydrants; and
    b. Fire Protection Services budget matters.

34. The Protective Services Committee is comprised of four Council members including the Chair. For the purpose of fire protection matters relating to the Municipality of the District of Lunenburg Fire Districts 1 and 2 Commission ("Commission") only, the Commission may appoint three Commission members to be additional voting members of the Committee for the purpose of fire protection matters related to the Commission.

## Recreation Committee

35. The responsibilities of the Recreation Committee are to:

    a. advise Council on matters affecting the development and maintenance of Town recreational facilities including but not limited to the Lunenburg War Memorial Community Centre Auditorium and Arena, programs and services;
    b. encourage healthy and active lifestyles for residents and visitors; and
    c. provide Council with input on the development of policies, plans and budget development related to community recreation opportunities including active transportation initiatives.

36. The Recreation Committee is comprised of four members of Council, three who are appointed for two year terms, and one Municipality of the District of Lunenburg ("Municipality") Council member appointed to serve by their Council in relation to relevant Municipality matters.

## Special Committees

37. Town Council may establish Special Committees at any time as deemed necessary concerning any matter which is within Council jurisdiction. Council in establishing a Special Committee shall approve the terms of reference, termination date and such other provisions as Council determines relevant to the creation, role, responsibilities and dissolution of Special Committees.

38. The general provisions of this Policy shall also apply to Special Committees.

39. A Special Committee shall consist of at least two Council members, one of whom shall be the Chair.

40. When a Special Committee has completed its work, made its report and Council has made a final decision about the report, the Special Committee shall automatically dissolve if it was not previously terminated in section 3 herein.

## External Boards and Committees with Town Appointments

41. It shall be the responsibility of all Town appointments to external Boards and Committees as set out in Schedule “A” attached to:

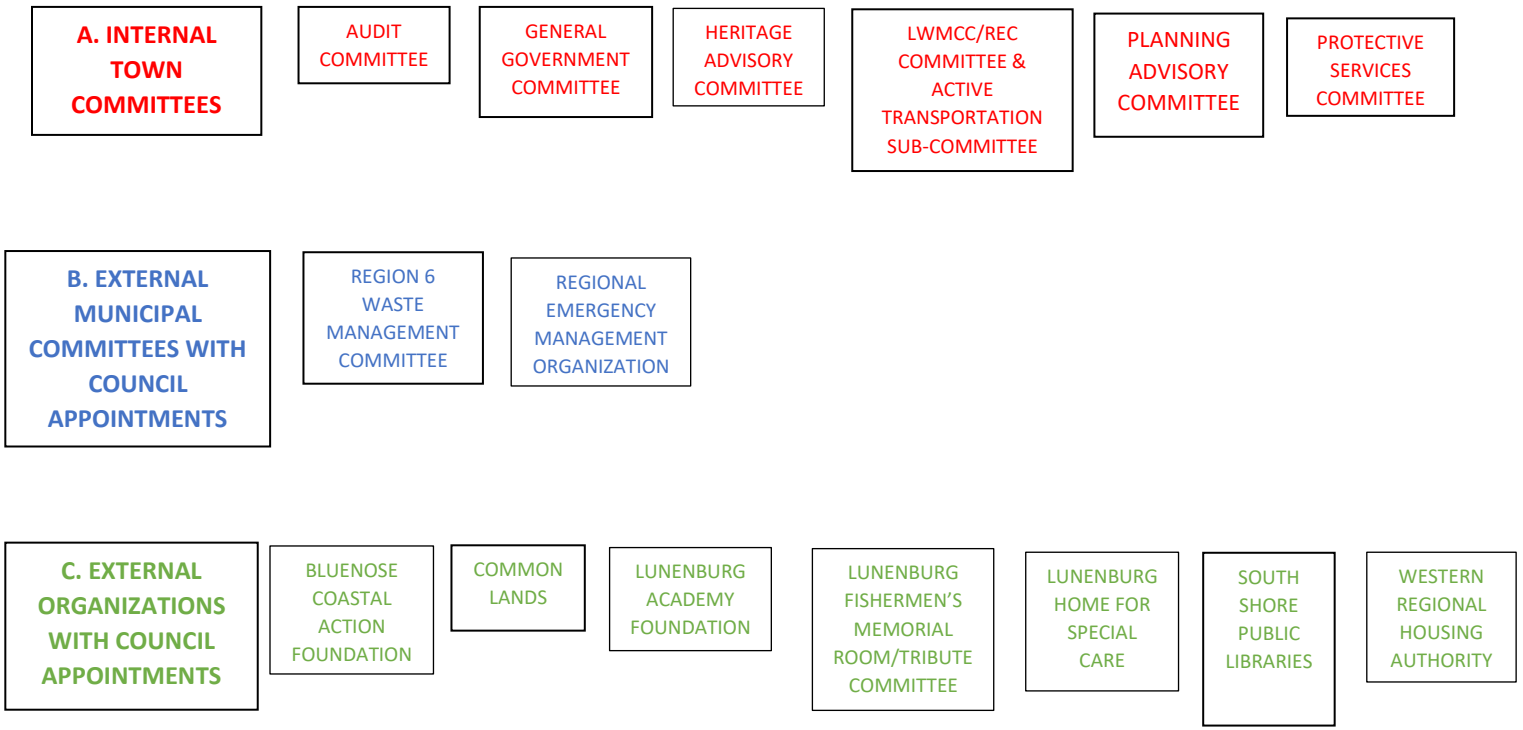
    a. provide semi-annual updates to Council of the activities of the body on which they have been appointed;
    b. represent the Town in a respectful and positive manner reflecting the direction of Council, Town budget, Policies and other guiding documentation;
    c. ensure Council receives copies of meeting minutes for the body on which they serve; and
    d. report any recommendations from such body requiring Council consideration and response.

42. This Policy repeals and replaces Policies #9 Appointments to Boards and Committees of the Town, #19 Composition and Duties of Planning Advisory Committee and #85 Audit Committee and Bylaw #6 Committees and Boards Bylaw.

- Schedule “A” attached

SCHEDULE "A"

# TOWN OF LUNENBURG – COMMITTEE STRUCUTRE




Note:

A. Report directly to Town Council.
B. External Committees with one or more Council representatives. Major items may require Council approval, e.g., budgets.
C. External Organizations with one or more Council representatives. Generally no formal reporting function to Council.

Special Committees of Council are also established from time to time for specific purposes.

*Revised: June 2020*

*K:\Org Charts\Committee.docx*

SCHEDULE "C"

Document No:
Meeting: July 16/20 GG/Comm
Circulate: Council
File: Bylaws

# M E M O R A N D U M

**TO:** **GENERAL GOVERNMENT COMMITTEE**

**FROM:** **BEA RENTON, CAO**

**DATE:** **JUNE 30, 2020**

**RE:** **PROPOSED REPEAL OF BYLAW #5 COUNCIL PROCEDURE BYLAW – REPLACED BY PROCEDURAL POLICY #96 COUNCIL AND COMMITTEE MEETINGS AND PROCEEDINGS**

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## 1. FACTS

Bylaw #5 Council Procedure Bylaw has been in place since 1979. Council recently decided to replace it with a more readily amendable Procedural Policy #96 Council and Committee Meetings and Proceedings adopted on May 12, 2020. As was set out in an earlier memo to this Committee and direction of the Committee, the next step in this process is the formal repeal of Bylaw #5. Copies of both the Bylaw and Policy are attached for reference.

## 2. ISSUES AND OPTIONS ANALYSIS

The Bylaw is replaced by the Policy and therefore should be repealed. This is done by a Committee member agreeing to give notice of motion of the proposed Bylaw repeal at the July 28 Council meeting. Following which, at the August 25 Council meeting first reading is given of its repeal and public advertisement of same for consideration fourteen days before the next Council meeting on September 22 where second and final reading of the repeal could be given. If a motion to repeal is approved on September 22, the repeal becomes effective on the date this is advertised in the local newspaper.

## 3. FINANCIAL IMPACT

The Bylaw's repeal does require public advertisements (a minimum of two) in the local newspaper which would cost approximately $250. There may be an opportunity to lower this cost if the ads can be bundled with other Town notices in the newspaper. Otherwise, there is no out-of-pocket cost to repealing the Bylaw as the drafting to repeal is being done by staff.

## 4. STRATEGIC PLAN RELEVANCE

As was previously described in the earlier staff report to develop an updated Council and Committee Procedural Policy, the repeal of Bylaw #5 addresses the goal of the Town's Strategic Plans to:

1. Operate the Town efficiently and effectively by:
   …C. Developing and updating Town bylaws, procedures and plans.

## 5. RECOMMENDATION AND DRAFT MOTION

It is recommended that the Committee select a member to give notice of motion at the July 28 Council meeting of the proposed repeal of Bylaw #5. Council Procedure Bylaw. A motion could be made at the July 16 General Government Committee meeting setting this out for ease of reference as set out below.

*Motion: moved by ___, seconded by ___ that Councillor ____ will give notice of motion of the proposed repeal of Bylaw #5. Council Procedure Bylaw for first reading at the August 25 Council meeting.*

Attachments -

- Bylaw #5. Council Procedure Bylaw
- Policy #96. Council and Committee Meetings and Proceedings Policy

**TOWN OF LUNENBURG**

**BY-LAW NO. 5**

**A BY-LAW RESPECTING RULES GOVERNING THE TOWN COUNCIL**

Short title

1.1 This by-law shall be known as and may be cited as the "Council Procedure By-law".

Apply to Council, committees and boards

2.1 In all the proceedings had or taken in the Council the following rules and regulations shall be observed and shall be the rules and regulations for the order and discharge of the business of the Council and mutatis mutandis of its committees, boards and commissions.

Organization of Council

3.1 At the first meeting after a general election of councillors, or so soon thereafter as practicable, the date of which meeting shall be fixed by the outgoing Council, the Council shall be organized by administering the required oaths, if not previously administered, and the appointment to any vacancies in the offices of the Deputy Mayor, committees, boards and commissions and the further business hereinafter provided.

Adjournment

4.1 The Council shall adjourn at the hour of twelve o'clock midnight if in session at that hour, unless otherwise determined by a vote of two-thirds of the councillors present.

Opening of meeting

5.1 At or so soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the chair and call the meeting or order.

If Mayor absent

6.1 In case the Mayor does not attend within fifteen minutes after the time appointed, the Deputy Mayor shall call the councillors to order and if a quorum be present, shall preside over the meeting or until the arrival of the Mayor.

Deputy Mayor also present

7.1 In case neither the Mayor nor the Deputy Mayor is in attendance within fifteen minutes of he appointed time, the Town Clerk shall call the councillors to order if a quorum be present, and the councillors shall choose a chairman who shall preside over the meeting or until the arrival of the Mayor or the Deputy Mayor.

Lack of quorum

8.1 If there be no quorum present within one-half hour after the time appointed for the meeting, the Town Clerk shall take down the names of the councillors then present and the Council shall stand adjourned until the same appointed time of the next day not being a holiday; provided always, that if all councillors remain present until a quorum is made up the meeting may proceed with business as long as the quorum remains.

Minutes

9.1 Minutes of the proceedings of every meeting of the Council shall be drawn up and fairly entered by the Town Clerk in a book kept for that purpose or cause the same to be done and such book shall be properly indexed.

Contents of minutes

9.2 Such minutes shall:

9.2.1 contain all resolutions and motions passed, with the names of the movers and seconders; and

9.2.2 mention reports, petitions and other papers submitted to the Council by their respective titles only, or by a brief description of their purport except reports accepted by Council, which shall be entered at length or attached to the minutes.

Approval of minutes

9.3 Unless objection is taken to the minutes when read or as circulated, they shall be deemed approved and shall be signed by the chairman. If any objection is made to the minutes, the councillor making such objection shall state his grounds without comment and if the Council agrees the minutes shall be amended accordingly. If all the councillors do not acquiesce in the proposed amendment, the motion must be made and seconded to amend the minutes in accordance with the objection which shall then be debatable and resolved by Council.

Duties of presiding officer

10.1 The Mayor shall preserve order and decorum and decide questions of order, subject to an appeal to the Council and in the absence of the Mayor, the presiding officer shall have the same authority while so presiding as the Mayor would have if present.

11.1 When the Mayor is called upon to decide a point of order, practice or procedure the point shall be stated without unnecessary comment and the Mayor shall cite as far as able the rules or authorities applicable to the case.

Decision by majority

12.1 All questions arising in the Council or one of its committees, boards or commissions shall be decided by a majority of the votes of Council, or the committee, board or commission, including the Mayor or other presiding officer who shall have a right to vote on all such questions, and in the event of a tie the motion shall be deemed to have been lost.

Mayor leaving chair

13.1 If the Mayor decides to leave the chair for the purpose of taking part in debate or otherwise, he shall call upon the Deputy Mayor, or in his absence, a councillor, to fill his place and discharge his duties until he resumes the chair.

Councillor speaking

14.1 Every councillor previous to speaking on any question or motion, shall rise from his seat and shall address himself to the Mayor.

Recognition of councillor

15.1 When two or more councillors rise to speak, the Mayor shall name the councillor who in his opinion first rose from his seat, but a motion may be made that any councillor who has risen, "be now heard" or "do now speak" and if such motion is carried such councillor shall then be heard.

Every councillor to vote

16.1 Every councillor who is present when a question is put, shall vote thereon unless the Council excuses him therefrom or unless he is personally interested in the question, provided that such interest is resolvable into a personal pecuniary profit, or is peculiar to that councillor and not in common with the interests of the citizens or Council at large and in such case he shall not be required to vote.

No disturbance

17.1 When the Mayor is putting a question, no councillor shall walk across the room or make any noise or disturbance nor when any councillor is speaking shall any other councillor pass between him or the chair or interrupt him except to raise a point of order.

Councillor called to order

18.1 A councillor called to order from the chair, shall immediately sit down but may afterwards explain his conduct, and, if an appeal is taken to Council it shall decide the case but without debate. If there be no appeal, the decision of the Mayor shall be final.

No offensive language or action

19.1 No councillor shall use offensive words in or against the Council or any councillor nor shall he speak outside the question in debate nor resist the rules of Council or disobey the decision of the Mayor or of the Council upon any question of order or practice or upon the interpretation of the rules of the Council, and in case any councillor so resists or disobeys, he may be ordered by the Mayor by order or resolution of the Council to leave his seat for that meeting, and in case of his refusing to do so he may on order of the Mayor be removed therefrom by a policeman, but in case of an apology being made by the offender he may by vote of the Council be permitted forthwith to resume his seat.

Reading of question

20.1 Any councillor may require the question or motion in discussion to be read at any time during the debate but not so as to interrupt another councillor while speaking.

Length and number of speeches

21.1 No councillor shall speak more than once on the same question without leave of the Council except in explanation of a material part of his remarks which may have been misconceived, and in so doing he shall not introduce new material. A reply is allowed to a councillor who has moved an amendment. No councillor shall speak, without leave of the Council, to the same question or reply for longer than ten minutes.

Recorded vote

22.1 Upon division of the Council the names of those who voted for and the names of those who voted against the question shall be entered in the minutes when any councillor shall have so requested.

Separate propositions

23.1 When the question before Council contains two or more distinct propositions upon request of any councillor a vote upon each proposition shall be taken separately in such order as determined by the Mayor.

Declaration of vote

24.1 After a question is finally put by the Mayor no councillor shall speak to the question nor shall any other motion be made until after the result of the vote has been declared and the decision of the Mayor as to whether the question has been finally put shall be conclusive.

Contrary motion

25.1 Whenever the Mayor is of the opinion that a motion is contrary to the rules and privileges of Council he shall advise the councillors thereof immediately without putting the question and shall cite the rules and authorities applicable to the case without argument or comment. If there be no appeal to Council or if the chair is sustained or appeal taken to Council, the question shall not be put.

Point of order

26.1 Any councillor may rise and call to order another councillor. In so doing the councillor must state the point of order clearly and distinctly and the Mayor shall decide whether the point is well taken.

Appeal

27.1 An appeal may be taken from the decision of the Mayor by any councillor. When an appeal is taken to Council the Mayor shall first give the terms of his decision appealed from and add "The question is now, shall the decision of the chair stand as a decision of Council?"

Consideration of order decided first

28.1 When any question of order, procedure or practice is raised it must be decided before the question then in discussion is proceeded with.

Privilege

29.1 When any matter of privilege arises it shall be immediately taken into consideration.

Right to be heard

30.1 Every councillor shall be heard in his place touching any charges brought against him as councillor or on any motion by which his private interests may be affected, but such councillor may withdraw from the Council Chamber before the Council proceeds to consider or decide on such charge or motion.

Not to leave

31.1 The councillors shall not leave their places on adjournment until the Mayor leaves the chair.

31.2 No councillor shall leave the Council Chamber during the transaction of business without the permission of the Mayor.

Motions in writing

32.1 All motions save 34.1.1 to 34.1.6 inclusive as set forth in Section 34.1 shall be in writing if so required by the Mayor or any councillor and all motions shall be seconded before being debated or put by the chair.

Reading of motion

33.1 When a motion is read by the Mayor it shall be deemed to be in the possession of Council, but may, with the permission of Council, be withdrawn by the mover and seconder at any time before voting thereon or amendment.

Priority motions

34.1 When a question is under consideration no other motion shall be received unless it is a motion to:

34.1.1 adjourn,
34.1.2 lay on the table,
34.1.3 postpone to a certain time,
34.1.4 refer,
34.1.5 amend; or
34.1.6 move the previous question

34.2 The motions referred to in subsection 34.1 shall have precedence in the order in which they are named therein.

34.3 A motion to adjourn shall always be in order except,

34.3.1 when a councillor is in possession of the floor,

34.3.2 when a vote is being conducted,

34.3.3 when a motion to adjourn was the last preceding motion; provided that a motion to adjourn Council or the debate to a day certain shall not come within this rule.

Question be now put

35.1 A motion that the question be now put, until it is decided, shall preclude all amendments to the main question and shall be put without debate in the following words: "That the question be now put." If this motion is resolved in the affirmative the original question shall be put forthwith without any amendment or debate; but if the said motion is resolved in the negative then the main question is superseded and a new subject or motion must be submitted to Council.

No debate

36.1 The following questions shall be decided without debate or amendment:

36.1.1 a motion to reconsider,

36.1.2 a motion as to priority of business or as to the suspension of the general order of the day,

36.1.3 application to speak more than the prescribed number of times or longer than the prescribed times,

36.1.4 a motion to allow any person other than a councillor to address the Council,

36.1.5 the previous question,

36.1.6 a motion to adjourn,

36.1.7 a motion to postpone to a day certain,

36.1.8 a motion to lay on the table.

Motions not dealt with

37.1 All motions called in pursuance of the general order of the day and not disposed of shall be placed at the foot of the list, unless otherwise ordered by Council, but where any order, resolution or question shall be lost by the Council breaking up for want of a quorum the order, resolution or question so lost shall be the first business proceeded with and disposed of at the next meeting of Council under that particular head.

Amendments

38.1 Amendments shall be put in the reverse order to that in which they are moved. Every amendment submitted shall be reduced to writing, if required by the Mayor or any councillor, and shall be decided or withdrawn before the main question is put. Only one amendment is to be allowed to an amendment and any amendment more than one must be to the main question.

Strike out and insert

39.1 On an amendment to "strike out and insert" the paragraph to be amended shall first be read as it stands. Then the words proposed to be struck out shall be read; then those to be inserted shall be read; and finally the paragraph as it would stand if so amended shall be read.

Appointments

40.1 On all motions for the appointment of any person to any office in the gift of Council, the candidates for such office shall be voted on separately in the order in which they are proposed.

Extraordinary expenditures

41.1 All resolutions involving "extraordinary expenditure" or an expenditure not specifically provided for in the estimates, shall be laid on the table as a notice of motion to be discussed and decided at a subsequent meeting, and no such resolution shall be voted upon at the same meeting at which it is introduced unless the Council, by a two-thirds vote of the councillors then present, shall deem it expedient to do so.

Reconsideration

42.1 After any question has been decided either in the affirmative or negative any councillor may move for a reconsideration thereof, but no discussion of the main question shall be allowed unless reconsidered, and there shall be no reconsideration at any subsequent meeting unless notice of such reconsideration be given at the meeting at which the main motion is carried, and after such notice is given no action shall be taken by Council upon the main motion until such reconsideration is disposed of.

42.2 No question shall be reconsidered more than once nor shall a vote to reconsider be reconsidered.

General order of the day

43.1 The following shall be the general order of the day, subject however, to suspension by the Council at any meeting as the exigencies of business may require:

43.1.3 reading or considering the minutes as circulated of the last regular meeting and of any special meeting held since such meeting,

43.1.2 hearing of delegations or individuals,

43.1.3 correspondence and other original communications,

43.1.4 receiving of accounts and dealing with same,

43.1.5 reading of memorials and petitions,

43.1.6 notices of motion,

43.1.7 presentation and consideration of committee reports,

43.1.8 motions,

43.1.9 unfinished business,

43.1.10 questions by members,

43.1.11 new business.

Material for councillors

44.1 The Town Clerk shall prepare for the use of councillors at regular meetings of Council all matters that are to come before the Council in the sequence in which such matters appear in the general order of the day.

Order of business

45.1 Business shall be taken up in the order in which it stands upon the general order of the day.

Special meetings

46.1 For all special meetings of Council the Town Clerk shall prepare for councillors, under the direction of the Mayor, a memorandum of the principal business to be transacted at any such meeting.

Petitions, etc.

47.1 Every petition, remonstrance or other written application to be presented to Council must be plainly written and signed.

Petition to be examined

47.2 Every such petition, remonstrance or written application must be presented to Council by a councillor or the Town Clerk, who shall examine the same and be answerable that it does not contain any impertinent or improper matter and that the same is respectful and temperate in its language.

Certification

47.3 When any report, by-law, petition, or other written application or communication is read in Council, the Town Clerk shall certify on the back thereof the reading and date for all orders passed with regard thereto.

Actions, petitions, etc. to be referred

48.1 All actions against the Town and all petitions or other communications on any subject within the competence of a standing committee shall on presentation, be considered as referred to the appropriate committee without any motion, unless otherwise ordered; and no councillor shall speak upon or shall debate be allowed upon the presentation of a petition or other communication; but a councillor may move in referring the petition or communication, that certain instructions be given by Council or that the petition or communication shall be referred to a select committee; and if the petition or communication complains of some present personal grievance requiring immediate remedy, the matter therein contained may be brought into immediate discussion and disposed of forthwith by Council.

Select committee

49.1 Every councillor who shall introduce a petition or motion upon any subject which may be referred to a select committee shall be one of the committee and shall, unless Council otherwise determines, be the chairman of such committee.

Person not to be heard without permission

50.1 No person, not a councillor, shall be heard in Council without the permission of the Council.

Presence within the bar

51.1 No person, except councillors and of the Council, shall be allowed within the bar during the sitting of the Council without the permission of the Mayor.

Police

52.1 One of the policemen of the Town may, on request of the Mayor or Council, attend all meetings of Council, and, if ordered by the Mayor or other presiding officer, on resolution of Council, such officer shall expel and exclude from the meeting any person who has been guilty of improper conduct at such meeting.

Voting

53.1 When a division on any question is requested the presiding officer shall call for the yeas and nays, that is, the councillors voting in the affirmative shall rise and be counted and then sit down, and then the councillors voting in the negative shall rise and be counted and then sit down, and the presiding officer shall then declare the result.

Secret ballot

53.2 When any two councillors so request, the yeas and nays shall be taken by secret ballot.

Rules of Parliament

54.1 In all cases not specifically provided for herein, the Rules of Parliament shall govern the proceedings of Council.

Suspend rules

55.1 No standing rule or order concerning the meetings of Council shall be suspended except by the unanimous vote of councillors present.

Repeal

56.1 All former Council Procedure By-laws of the Town are hereby repealed and this by-law substituted therefor.

Approved by Town Council: July 27, 1978
Approved by M.M.A. : January 16, 1979

# #96. TOWN OF LUNENBURG PROCEDURAL POLICY

# COUNCIL AND COMMITTEE MEETINGS AND PROCEEDINGS

## PURPOSE

1. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation, including but not limited to the Municipal Government Act ("MGA") with such amendments as may be made from time to time. This Policy also applies to Town Committee meetings with the relevant changes in wording.

## DEFINITIONS

2. In this Policy, unless the context otherwise requires:

   (1) **"business day"** means a day when the Town Hall office is open for business;

   (2) **"Chair"** means the presiding officer of the Council or Committee;

   (3) **"Committee"** means a group of individuals appointed by the Lunenburg Town Council to serve on a body that makes recommendations by majority vote to Council. This includes sub-committees and advisory groups;

   (4) **"Council"** means the governing Council of the Town of Lunenburg;

   (5) **"Councillor"** includes the Mayor and all elected Councillors unless the context indicates otherwise;

   (6) **"Legislation"** includes Policies, Bylaws and other relevant Municipal, Provincial and Federal laws or approved documents recognized by Council.

   (7) **"Majority"** means more than one half of those present, unless the context indicates otherwise; and

   (8) **"Motion"** a formal proposal put to a Council or Committee by a mover and seconder decided by majority vote of Council or a Committee.

## PROCEDURE

### Time, Place, Date and Notice of Meetings

3. Unless otherwise specified pursuant to section 4, regular meetings of Council shall be held:

   (1) at the Lunenburg Town Hall;

(2) on the second and fourth Tuesday of every month except in the months of July, August and December when there is only one monthly meeting which shall be on the second Tuesday of those months unless notice is otherwise given; and

(3) commencing at 5:15 p.m.

4. Regular meetings of Council may be rescheduled, relocated or cancelled:

(1) by motion or consensus of Council; or

(2) by the Clerk on behalf of the Mayor owing to unforeseen circumstances, provided the Mayor believes that the majority of Councillors would support such a step.

5. **Additional meetings** of Council may be convened in accordance with the MGA:

(1) by resolution or consensus of Council with advance notice being given;

(2) if the Mayor determines there is an emergency necessitating a meeting with such notice as is possible under the circumstances; or

(3) by the Clerk when required to do so by the Mayor or upon written request signed by a majority of Councillors.

6. Specific **notice** to Councillors need not be provided for:

(1) regular Council meetings held pursuant to section 3; or

(2) meetings held pursuant to subsection (1) of section 4 or subsection (1) of section 5 if the date was set at a Council meeting three or more days in advance;

but, subject to any statutory relaxation of notice requirements, two days' notice shall ordinarily be provided for other meetings to Councillors in the manner described in sections 7 and 8.

7. Subject to section 6, notice of meetings shall be provided verbally in person or by telephone or telephone message or by writing or by email to each Councillor. A Councillor may waive any deficiency in the notice provided to him or her for a Council meeting which he or she attends, and shall be deemed to waive any deficiency in notice to him or her for such meetings unless expressly objecting to the adequacy of the notice at such meeting.

8. Within thirty days following the first meeting of Council after a municipal election or by-election, each elected Councillor shall provide to the Clerk:

(1) a telephone number at which the Councillor ordinarily may be reached, with voice messaging capability with adequate capacity at all times to receive messages of one minute in length regarding Council meetings and Town business, and which the Councillor will regularly check for Town messages; and

(2) shall sign any documents required by the Clerk to use an email address on the Town's email system which the Councillor will regularly check.

The Councillor shall be deemed to have received any notice within one business day of it being distributed pursuant to this section.

9. Notice to the public is not required for regular meetings held under section 3, but subject to any statutory relaxation of notice requirements, two days' notice to the public should be provided for other Council meetings, except meetings considered to be urgent or emergencies, by the following options: posting at the Lunenburg Town Hall; social media; internet; print advertisement; signage; or such other means as determined by Council from time to time noting the time, date and place of the meeting.

## Conduct of Meetings: General

10. The Mayor shall serve as the Chair of Council meetings. For Committee meetings, the Chair shall be determined in advance by Council when Committee appointments are made. It shall be the duty of the Chair or alternate as set out herein to:

    (1) open the meeting of Council by taking the chair and calling the Councillors to order if a **quorum** is present;

    (2) declare a meeting dissolved if no quorum has been achieved within fifteen minutes of the scheduled meeting time;

    (3) if the Mayor does not attend within fifteen minutes after the time appointed, the **Deputy Mayor** shall call the Councillors to order and if a quorum is present, shall preside over the meeting or until the arrival of the Mayor;

    (4) in case neither the Mayor nor the Deputy Mayor (or Committee Chair as applicable) is in attendance within fifteen minutes of the appointed time, the Clerk shall call the Councillors (or Committee members as applicable) to order if a quorum be present, and the Councillors shall choose a Chair who shall preside over the meeting or until the arrival of the Mayor or the Deputy Mayor;

    (5) if there is no quorum present within fifteen minutes after the time appointed for the meeting or a quorum is lost during a meeting, the Clerk shall take down the names of the Councillors then present and the Council meeting shall stand adjourned until the next regular Council meeting;

    (6) determine whether a quorum can still be achieved to conduct Council business if an interest is declared by a Council member(s) with reference to the **Municipal Conflict of Interest Act**;

    (7) receive and submit to Council **motions** properly presented by a Councillor;

    (8) put to a **vote** a question which is regularly moved and seconded or necessarily arising in the course of the proceedings and to announce the result of the vote;

    (9) preside over Councillors, when engaged in debate, within the rules of conduct of debate;

(10) enforce on all occasions, the observance of order and decorum, except with concurrence of Council to relax the rules;

(11) call by name any Councillor persisting in a breach of the rules of order of Council thereby ordering him or her to vacate the Council Chambers;

(12) inform the Council when necessary, or when referred to, on a point of order;

(13) permit the Chief Administrative Officer to speak on any point upon request pursuant to the MGA;

(14) permit relevant questions to be asked through the Chair of any official or employee of the Town, or any member of the public in attendance, to provide information to assist any Council debate; and

(15) adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by majority vote or consensus, when the adjournment time has been reached, except when it is extended by unanimous consent. Meetings should not exceed a maximum duration of three hours or 10:00 p.m. whichever occurs first,

(16) at which time they will be adjourned until the next meeting of Council.

11. At Council meetings, unless a majority consents to a different order for that meeting, **Council shall conduct business in the following order**:

(1) call to order;

(2) acknowledgement of Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People;

(3) approval of agenda, including additions or deletions;

(4) approval of minutes from the previous meeting;

(5) public hearings, presentations and questions;

(6) consideration of correspondence, petitions and proclamations;

(7) business arising from the minutes;

(8) consideration of committee recommendations, minutes, reports and notices of motions;

(9) new business;

(10) in camera business;

(11) in camera notices of motion and recommendations; and

(12) adjournment.

12. Five business days before a Council meeting, a Councillor or member of the public may request of the Mayor and Clerk to **add a Council agenda** item with relevant and sufficient particulars and supporting documentation which the Mayor shall in consultation with the Clerk determine to which Council or Committee meeting the agenda the item shall be added at the upcoming or a subsequent meeting(s).

13. (1) Alternatively, a Councillor may give **notice of motion to add an agenda item** at a Council meeting which shall be:

    a. be in writing;

    b. include the name of the mover;

    c. be received by the Clerk at a regular meeting of the Council; and

    d. be printed in full in the agenda for the next regular meeting and each successive meeting of the Council until considered or otherwise disposed of.

    (2) When a Councillor's motion has been called at two successive meetings of the Council and not proceeded with, it shall be deemed to have been withdrawn and be removed from the agenda unless the Council otherwise decides.

    (3) The mover may withdraw a notice of motion at any time prior to the commencement of debate thereon.

    (4) Council may waive notice of motion on a two-thirds vote of the Council members present and voting except for Policy and Bylaw matters.

    (5) A point of order or personal privilege may be introduced without written notice and without leave.

    (6) The following motions may be introduced without notice and without leave:

    a. a motion to adjourn;

    b. a motion to call for the question;

    c. a motion to refer;

    d. a motion to table or to defer to a day certain;

    e. an amendment to a motion;

    f. a motion to suspend a rule of procedure;

    g. a motion to convene in camera; or

    h. any other procedural motion.

14. The Mayor and Clerk shall confer on the Council **agenda content and format** before it is circulated a minimum two business days before the meeting if possible. The agenda will be accompanied with an **agenda package** containing meeting materials in the agenda sequence.

15. The Chair shall decide all questions of order or procedure subject to an **appeal** to the Council.

16. Every Councillor, prior to **speaking on any question or motion**, shall raise a hand and wait to be recognized by the Chair. When two or more Councillors raise their hands to speak, the Chair shall designate the Councillor who has the floor who, in the opinion of the Chair, first raised their hand.

17. No Councillor shall speak more than ten minutes upon any matter at one time, without the leave of the Chair.

18. During a meeting Council may **recess** for short periods or move to another place, without ending the meeting.

19. At regular meetings of Council, except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the **minutes** of the last preceding regular meeting and subsequent special meetings shall be reviewed and after all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book of the proceedings of Council and such entry shall conclusively constitute the minutes of Council.

20. The minutes shall be kept by the Clerk and shall:

    (1) record the time when any Councillor joins or leaves a meeting which is in progress;

    (2) contain all resolutions, decisions by consensus and motions, with the name of the movers and seconders except Committee meetings, and shall record the outcome of each vote; and

    (3) mention reports, petitions and other papers submitted to Council only by their respective titles, or a brief description of their contents, which may be attached in full to the minutes as determined relevant by the Clerk.

## Conduct of Meetings: Motions and Voting

21. The Chair shall state every **question** properly presented to Council if no Councillor offers to speak, the Chair shall put the question, after which no Councillor shall be permitted to speak upon it.

22. The usual form of voting on any question shall be by the Chair calling for "yeas" and "nays", but any Councillor, before or after a voice vote can call for, and obtain through the Chair, a show of hands.

23. The Mayor and every Councillor who is present when a motion is put, shall vote thereon unless the Councillor has declared an interest in the motion. A failure to expressly signal a “yea” or “nay” or raise one’s hand shall be deemed to be a “nay” vote. A tie vote results in the motion being defeated.

24. A motion must be seconded and then repeated by the Chair or read aloud by the Clerk before it is debated. The Chair may direct that the motion be put in writing, repeated, displayed or read aloud by the Clerk before it is debated or voted on.

25. After reading of a motion by the Chair or Clerk, it shall be open for discussion. The motion is deemed to be in the possession of Council at this time.

26. A motion which has been seconded and stated by the Chair may at any time before the Council has voted on it be **withdrawn** by the mover with the unanimous consent of Council.

27. When any question is before the Council, the only motions in order shall be:

    (1) a motion to amend the original motion;

    (2) a motion to refer the question, including the motion and amendment if one is moved, to any Committee;

    (3) a motion to defer the consideration of the question either indefinitely or to a specified time;

    (4) a motion to close the debate at a specified time; and

    (5) a motion that the question be put to a vote.

28. A motion

    (1) that the debate be closed at a specified time; or

    (2) that the question be put to a vote,

    shall be put to a vote without further amendment or debate, but a motion that the question be put to a vote shall not be in order until every Councillor who has not spoken on the question and claims a right to speak has been heard.

29. When the question before Council contains two or more distinct propositions upon request of any Councillor a vote upon each proposition may be taken separately in such order as determined by the Chair.

30. After a question is finally put by the Chair, no Councillor shall speak to the question nor shall any other motion be made until after the result of the vote has been declared.

31. Whenever the Chair is of the opinion that a motion is out of order, or contrary to legislation, the Chair shall immediately advise the Councillors thereof. If there is no appeal to Council, or if the Chair is sustained on an appeal, the question shall not be put.

32. A motion to adjourn shall always be in order except in the following cases:

    (1) when a Councillor is in possession of the floor;

    (2) when the "yeas" and "nays" are being called for a vote;

    (3) while Councillors are voting; or

    (4) when the adjournment was the last preceding motion.

33. The following questions shall be decided without debate:

    (1) all motions as to priority of business or as to the suspension of the order of the day;

    (2) a motion to allow any person other than Councillors to address Council;

    (3) a motion to postpone to a specified time or day;

    (4) a motion to lay on the table (suspend consideration of a pending motion); and

    (5) a motion to adjourn.

34. Only one **amendment** to the main motion may be pending at one time. As each amendment is voted on, subsequent amendments may be offered and voted on in succession.

35. (1) A motion to rescind shall not be made at the same meeting when the matter is decided, but may be put once at any subsequent meeting by giving prior notice of motion to rescind if the action or direction of Council has not already been completed.

    (2) A motion to rescind may be put by any Councillor regardless of how they voted on the original matter.

    (3) At a subsequent meeting of Council, the giver of such notice, or in that Councillor’s absence any other Councillor on the Councillor’s behalf, may put forward the motion of rescission.

    (4) A motion to rescind must be seconded.

    (5) A motion to rescind is debatable as to the merits of the question which is proposed to be rescinded.

    (6) A motion to rescind is amendable.

    (7) A motion to rescind shall be passed by a majority of the Councillors present and voting.

36. After any question or motion has been decided, either in the affirmative or negative, a Councillor who voted on the prevailing side may, after the decision has been announced by the Chair, but before adjournment of the meeting, give notice of an intention to move **reconsideration** of the motion approved at the same or next Council meeting. The giving of

such a notice operates as a stay or suspension of Council's decision, except in matters where there is great time sensitivity. Council then vote on whether the motion will be reconsidered at the current or next meeting. If the motion to reconsider is adopted, Council will reconsider and then re-vote on the original motion, possibly with a different outcome.

37. The following matters are not eligible for reconsideration:

    (1) a motion approving the first or second reading of a By-Law enactment, amendment or repeal;

    (2) a motion to decide upon a matter which was the subject of a statutory hearing by Council;

    (3) a matter that has already been reconsidered; and

    (4) a vote to reconsider.

38. Any **notice of motion** given by a Councillor for a subsequent meeting may, in the absence of the Councillor giving such notice, be taken up by any other Councillor.

39. All motions called in pursuance of the general order of the day and not disposed of shall be proceeded with and disposed of at the next meeting of Council.

## Conduct of Meetings: Points of Order

40. It shall be the duty of the Chair, and the privilege of any Councillor, to call any Councillor to order, who violates any established rule or order. A point of order must be decided by the Chair before the subject under consideration is proceeded with.

41. When a Councillor is called to order, the Councillor shall remain silent until the point is determined or called upon by the Chair to be heard on the point of order.

42. A point of order is not debatable amongst other Councillors, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion of a point of order, no Councillor shall speak more than once without the leave of the Chair.

43. Decisions of the Chair on points of order, including an order expelling and excluding a person from the Council Chambers, are not debatable but are appealable to Council by any Councillor. When an appeal is made from the decision of the Chair, the Chair may briefly explain the basis for their ruling and shall then ask Council whether the appeal should be allowed and Council’s decision with reasons given shall be final.

44. No Councillor shall use offensive or unparliamentarily language or speak disrespectfully to or about anyone while in Council, or speak outside the parameters of the question in debate.

45. If a Councillor resists the rules of Council, obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise

disrupts the proceedings of Council, the Councillor may be ordered by the Chair to leave the Councillor's seat provided that a majority vote of Council shall be required to have the expulsion extended to additional meetings.

46. If the Councillor refuses to leave the Councillor's seat, the Chair may order the Councillor to be expelled from the Council Chambers. Such Councillor may, by vote of Council be permitted to resume their seat with or without conditions.

47. Persons who are not Councillors, officers or employees of the Town shall observe silence and order in the Council Chambers, unless given permission to speak by Council. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled from the Council Chambers, provided that a majority vote of Council shall be required to have the expulsion extended to additional meetings. Such member of the public may, by vote of Council be permitted to re-enter Council Chambers with or without conditions.

48. An order of the Chair to expel a person from the Council Chambers pursuant to this part of the Policy constitutes a direction from the Town to leave the premises for purposes of the Protection of Property Act and other applicable laws.

## Conduct of Meetings: Questions of Privilege, Parliamentary Inquiries, and Requests for Information

49. Any Councillor may raise a **question of privilege** relating to the rights of the Council as a whole or of individual Councillors, in which the former take precedence over the latter. A question of privilege must be disposed of before the matter under consideration is proceeded with.

50. Questions of privilege may relate to matters including: the comfort of Councillors with respect to heating, ventilation, lighting, noise, other disturbances, and anything which otherwise encumbers their ability to participate fully in Council proceedings; the conduct of officers, employees, and visitors; the accuracy of published reports of proceedings; or to any other such matters that may infringe upon the established rights of Council as a whole or of individual Councillors.

51. The Councillor raising a question of privilege shall either state the infringement on their privileges and request that the Chair remedy such infringement or make a motion addressing the question of privilege to the Council. The Chair will rule on whether the matter is a question of privilege to be immediately disposed of. Decisions of the Chair on questions of privilege are not debatable but are appealable to Council by any Councillor.

52. If the Chair rules in favour of a question of privilege or Council overrules a negative ruling by the Chair then the infringement will be dealt with or the motion regarding the question put before the Council for debate.

53. Once a question of privilege has been disposed of, the normal business of the Council shall be resumed at the point at which it was interrupted.

54. Any Councillor may make a parliamentary inquiry to the Chair to obtain information on a matter of parliamentary procedure or of the applicable legislation and motions bearing on the business at hand. It is the Chair's duty to answer such questions when it may assist the Councillor to make an appropriate motion, raise a proper point of order, or understand the parliamentary situation or the effect of a motion.

55. Any Councillor may make a request for information either to the Chair or through the Chair to another Councillor, employee, or other relevant person to obtain information relevant to the business at hand but not related to parliamentary procedure.

56. Any of the rules of order may be suspended in its operation by the unanimous consent of the Councillors present.

57. If any question arises that is not provided for by applicable legislation or the foregoing rules, it shall be decided by the Chair in accordance with the latest available version of Roberts Rules of Order.

58. Policy #88 Council Meeting Policy is hereby repealed.

Clerk' Annotation For Official Policy Book

Date of Notice to Council Members of Intent to Consider: April 28, 2020

Date of Passage of Current Policy: May 12, 2020

I certify that this Policy was adopted by Council as indicated above

_____ _____

Municipal Clerk Date

SCHEDULE "D"

*Draft Proposed Revisions for July 16, 2020*
*General Government Committee consideration*



**TOWN OF LUNENBURG PROCEDURAL POLICY #18**
**RESPECTING TOWN SPONSORED EVENTS POLICY**

1. It shall be the policy of the Town of Lunenburg ("Town") to provide free use of all Town facilities, reasonably required, for all Town sponsored events.

2. A Town sponsored event means:

   (a) events which are directly sponsored and coordinated by the Town;

   (b) events which are not sponsored by the Town but are carried out by volunteers, which in their absence the Town may decide to directly sponsor and coordinate; and

   (c) other events which may be determined to be Town sponsored events by the Lunenburg Town Council from time to time.

3. In the event facilities of the Lunenburg War Memorial Community Centre ~~Commission~~ are used, the rent which would normally be charged to the event will be paid for by the Town of Lunenburg.

~~NOTE: Volunteer events as listed in 2 (b) above, would include the Miss Lunenburg Pageant.~~

(N.B. – proposed revisions for July 16, 2020 General Government Committee consideration.)

**LUNENBURG WAR MEMORIAL COMMUNITY CENTRE/**
**RECREATION COMMITTEE RECOMMENDATIONS**

**WEDNESDAY, AUGUST 12, 2020**

1. That Council approve the proposed nomination of the Lunenburg Lasers, 1979-86, to the Nova Scotia Sports Hall of Fame (Schedule “C”).

# LUNENBURG WAR MEMORIAL COMMUNITY CENTRE/RECREATION COMMITTEE MEETING MINUTES

## WEDNESDAY, AUGUST 12, 2020 AT 5:15 P.M.

## (via Zoom Webinar)

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**PRESENT:** Councillor Ronnie Bachman, Chair
Councillor Danny Croft
Kimberly Hanlon
Kristi Tibbo

**ALSO PRESENT:** Mayor Rachel Bailey, ex officio [left meeting at 27:25 minute mark at beginning of consideration of agenda item #7. (a)]
Kelly Cunningham, Recreation Director
Heather McCallum, Assistant Municipal Clerk
Bea Renton, CAO

**ABSENT:** Councillor Matt Risser
Debbie Dauphinee
Councillor Errol Knickle, Municipality of the District of Lunenburg

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1. Call to order – Councillor Bachman

The Chair called the meeting to order at 5:19 p.m.

2. Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People – *Councillor Bachman*

3. Agenda

Motion: moved and seconded to approve the agenda. Motion carried.

4. March 11, 2019 Meeting Minutes

Motion: moved and seconded to approve the March 11, 2019 meeting minutes. Motion carried.

5. Public Presentations

Nil.

6. Business Arising from the Minutes/Unfinished Business

a. Ice Resurfacer Fundraising Committee Meeting Notes – *February 27, 2020* and *approved ice resurfacer purchase*

The Recreation Director reported that a 2021 Olympia propane ice resurfacer and propane ice edger tender was awarded by Town Council to Monarch Enterprise Ltd. at the July 28, 2020 Council Meeting. Delivery timeline is up to 300 days, therefore its exact arrival date is TBA.

In response to a question, the RD said the members of the Ice Resurfacer Fundraising Committee will be notified, as all the funds required were successfully sourced.

b. Recreation Report for May and August 2020

The May report was provided for information. The RD reviewed her August report (Schedule "A").

In response to a question, the RD confirmed that additional trail signs planned through the Active Transportation Sub-committee have been completed.

c. Crosswalk flag program maintenance and status – *discussion*

The RD reviewed Council Meeting minutes and referenced a staff report, both from 2016, which was the beginning of the crosswalk flag program (Schedule "B"). The Committee agreed by consensus to take this issue back to the Active Transportation Sub-committee and its SAC representative for resolution.

It was noted that the flags were removed at the beginning of the COVID-19 pandemic due to the impossibility of sanitization, and the restoration of the flags is TBA at this time.

7. New Business

a. Proposed nomination to the Nova Scotia Sports Hall of Fame of the Lunenburg Lasers Soccer Team – *discussion and recommendation to Council*

Bob Sayer presented an overview of his draft proposal to nominate the Lunenburg Lasers, 1979-86, to the Nova Scotia Sports Hall of Fame (Schedule "C"). The nomination due date is in November.

Councillor Bachman recused himself from the discussion, as he had a family member on the team. Councillor Croft assumed the Chair.

Motion: Moved and seconded that Council approve the proposed nomination of the Lunenburg Lasers, 1979-86, to the Nova Scotia Sports Hall of Fame (Schedule "C"). Motion carried.

If Council approval is obtained, the RD will meet with Mr. Sayer to assist in providing a letter or other assistance to preparing the nomination package.

Councillor Bachman resumed the Chair.

8. Next Meeting Dates

It was noted that the next scheduled LWMCC Committee meeting is not until after the municipal election, and there will be changes to its make-up with a new Council.

- *LWMCC Committee – Wednesday, November 18, 2020 at 2:00 p.m. (TBA) – Committee member Kim Hanlon is not available on this date.*

- *Active Transportation Sub-Committee – Wednesdays: August 26, and November 25, 2020 at 12:00 p.m.*

9. Adjournment

Motion: moved and seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 5:56 p.m.

_____

Heather McCallum, Assistant Municipal Clerk

Schedule "A"

**Document No:**
**Meeting:**
**Circulate To:** LWMCC
**File:**

# M E M O R A N D U M

**TO:** **LWMCC**

**FROM:** **KELLY CUNNINGHAM, RECREATION DIRECTOR**

**DATE:** **MAY 8, 2020**

**RE:** **RECREATION DIRECTOR'S REPORT**

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## ARENA

- The Arena closed for the season on March 16, 2020 at 4:30pm to help prevent the spread of the novel coronavirus/Covid-19 in Nova Scotia.
- The closure resulted in the cancellation of the Minor Hockey March Break hockey tournament, the Burg Classic Charity Hockey Tournament and other rentals.
- The Burg Classic has rebooked their 2020 tournament for October 8-11, 2020 and plan to have the 2021 tournament as normal at the end of March 2021.
- To date cancelled events include the South Shore Kennel Dog Show (June 2020; however, rescheduled for a hopeful August 2020) and a potential rescheduling of the Craft Show (July 2020; however, has tentatively scheduled August 2020).
- I attended an "Arena Refrigeration Plan Compliance Awareness – Learning from Fernie, BC" online seminar hosted by Frank Cowan Company, in partnership with the Ontario Recreation Facilities Association Inc. (ORFA) and the Technical Standards and Safety Authority (TSSA) on March 5, 2020.
- Staff are following the Province's directives of COVID-19 as it relates to our facilities.

*Update RE: Ice Resurfacer*

- The Fundraising Committee last met on February 27, 2020. The next meeting was to be held in April 2020; however, due to COVID-19, the meeting was cancelled.
- Staff have been following up on priority action items outlined from the February 27, 2020 meeting.
- MODL grant allocations are still under discussion.
- A grant has been submitted to a private grant foundation for financial support.
- The Town's tender has been reviewed by the RFANS South Shore Rep and is now in the final stages at Town Hall. It is anticipated to be put to tender shortly.

## COMMUNITY CENTRE

- The Community Centre was closed on March 16, 2020 at 4:30pm to help prevent the spread of the novel coronavirus/Covid-19 in Nova Scotia.

- The washroom renovations are finished and look fantastic. This includes: new and automatic sinks, toilets and urinals, new partitions, new mirrors, and freshly painted walls. The floor in the washrooms, hallways and lobbies have been dewaxed and cleaned. A new water bottle refill station and fountain have been installed in the lobby, and the two older fountains in the hallway have been removed. An automatic door opener and button has been installed in the main door. As well, the exterior bathroom doors leading from the parking lot straight into the washroom have been upgraded with a new platform and railing included.
- To date cancelled events include the 5km Heritage Muffin Run (June 2020), Paint Sea on Site (July 2020) and a wedding (September 2020).

**PARKS, TRAILS, PLAYGROUNDS, FIELDS**

- The Back Harbour Trail overgrowth cutback has been completed.
- The Town, on behalf of the Lunenburg Community Development Group, applied for a Provincial grant for funding of the splash pad; however, the funding has been denied. We requested $66,667, one-third of the total project cost, which was the maximum amount allowed to be requested.
- Staff are following the Province's directives of COVID-19 as it relates parks, trails, playgrounds, fields, etc.

**PROGRAMS**

- All programs and weight room memberships were suspended as of March 16, 2020 at 4:30pm and are frozen until re-opening.
- The spring and summer South Shore Recreation guides are not being distributed/made due to the cancellation of programs.
- The "Bikes for Kids" program through the United Way of Lunenburg Country, with whom the Town partnered to provide bikes to families with lower incomes, has been cancelled this year. Due to the pandemic, their volunteers did not have an opportunity to fix any bikes this year.

**SPECIAL EVENTS**

- Town staff recognized the National Day of Mourning on April 28 through a virtual online service and advertised to invite community participation.
- Flags were put out in front of Town Hall for the "Battle of the Atlantic" on May 3.
- The Town's Volunteer Civic Reception has been postponed to October 1, 2020 at 7:00pm (typically held in April). The Provincial Volunteer Awards has also been postponed to September 28 in Halifax (also typically in April).
- The German Band Concert has been cancelled for 2020, as the NS Royal International Tattoo has been cancelled for this year.
- Staff are exploring alternative options for celebrations of the Town's Birthday and Canada Day, if necessary.

Acknowledged only by:

Bea Renton
Town Manager/Clerk

**Document No:**
**Meeting:** LWMCC Jun 12 19
**Circulate To:** LWMCC
**File:**

# M E M O R A N D U M

**TO:** **LWMCC**

**FROM:** **KELLY CUNNINGHAM, RECREATION DIRECTOR**

**DATE:** **AUGUST 12, 2020**

**RE:** **RECREATION DIRECTOR'S REPORT**

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## ARENA

- The Lunenburg Farmers' Market began using the Arena on June 18 for online order assembly and distribution. The market is also holding an outdoor farmers' market in the Arena/Community Centre parking lot for the summer months.
- The ice resurfacer room is being renovated in house by Bobby Cleveland, which includes upgrading electrical wiring, new built work station, removal of an older wall, cement floor repair, paint, automatic lights installed and new water valves.
- New LED lighting has been installed over the ice surface and main areas.
- New painting has been done in the building.
- Emergency lighting is being installed in dressing room 1, 2 and 3.
- The roof exhaust fans replacements and the water heaters are being tendered.

*UPDATE: ICE RESURFACER:*

- At the Council Meeting of July 28, 2020 the following motion was passed:

  Motion: moved and seconded that a 2021 Olympia ice resurfacer be purchased from Monarch Enterprise Ltd. at the tendered price of $102,100, plus HST and two blades for $800, plus HST and one propane ice edger for $5,400, plus HST with the capital funding coming from $53,700 of reserves, $20,000 from a Municipality of the District of Lunenburg grant, $25,000 anonymous donation and $9,600 capital from revenue. Motion carried.

## COMMUNITY CENTRE

- New LED lighting has been installed in the auditorium.
- The gymnasium floor has been re-varnished.
- Direction flow and signage is placed in the facility for COVID-19.
- New painting in the building.

## PARKS, TRAILS, PLAYGROUNDS, FIELDS

- The Heritage Bandstand is now run by the Town. Public Works is doing the maintenance and Recreation will oversee the scheduling and rental agreements.
- Skateboard park has had the old wooden border removed with new concrete in place, additional gravel on the ramp area, cement is being crack filled, the half pipe is getting new wood on it, and a three-stream garbage can has been added.
- Playground maintenance, as required. The grounds has been tilled. New benches added to the Victoria Street Park.
- Old metal bleachers by the track/baseball field are removed and area cleaned.
- The Back Harbour Trail has had a large cutback on the Maple Ave section (which was not completed in the contracted overgrowth cutback).
- Outdoor pickleball lines have been painted on the basketball courts in consultation with Bluenose Academy for outdoor playing.

## PROGRAMS

- The Community Centre began a partial re-opening of the facility on July 23, 2020, with terms and conditions in place. Timeslots available for drop-in programs and rentals.
- Fall 2020 programs are being organized and will follow public health measures.
- Online public programs and webinars are being planned for the near future.

## SPECIAL EVENTS

- Virtual celebrations were held for Lunenburg's birthday on June 5 with the Heritage Recognition and Prominent Lunenburger Awards.
- A virtual Canada Day event was held on July 1. The event had greetings from the Mayor, Council, our MP and MLA, as well as songs from various local musical performers and Mi'kmaw knowledge sharing. The event also had public submissions from community members. There have been 560 views of this event on YouTube.
- The Pride Flag Raising was held on July 17, in partnership with Lunenburg Pride.
- The Fishers' Memorial Service will be held virtually on September 13 at 2pm.
- The Provincial Volunteer Awards Ceremony will be held virtually on Facebook live on September 28.

Acknowledged only by:

Bea Renton
Town Manager/Clerk



SCHEDULE "B"

## Ann Covey

**Subject:** 5 (a) LWMCC Oct 9 19 Crosswalk flags

**From:** Kelly Jardine <Kjardine@explorelunenburg.ca>
**Date:** September 10, 2019 at 10:02:43 AM ADT
**To:** Rachel Bailey <RBailey@explorelunenburg.ca>
**Subject: RE: Crosswalk flags were to be a shared responsibility**

October 11/16 Council Meeting

(b) Public Works
(i) Bluenose Academy School Advisory Committee crosswalk "orange flag proposal"- staff report
The TE reviewed his report (Schedule "B"). He said he spoke with the RCMP about them making a presentation for students at Bluenose Academy if this project moves forward.

Motion: moved by Councillor Zwicker, seconded by Councillor Mosher that if the Bluenose Academy School Advisory Committee is willing to maintain the flags installed at the intersections identified in this report (Schedule "B"), Dufferin Street in front of The Knot Pub, Falkland Street in front of the Foundry, Victoria Road near the Foundry, Victoria Road at Green Street, Victoria Road at Hall Street and Victoria Road in front of Lunenburg Hardware, that the town pay to supply and install the crosswalk flags.

Melissa Risser, Bluenose Academy School Advisory Committee representative, said that spare flags will be kept at Bluenose Academy and she will ensure there are always flags available at the designated intersections.

The motion was put and passed.

Circulated: _____

Document No:
Meeting: Council October 11, 2016
Circulate To: Council, BR, PH, MB, LD
File:

# M E M O R A N D U M

**TO:** **TOWN COUNCIL**

**FROM:** **MARC BELLIVEAU, TOWN ENGINEER**

**DATE:** **OCTOBER 6, 2016**

**RE:** **CROSSWALK FLAGS**

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## 1. FACTS

At the September 27, 2016 Council Meeting it was agreed staff will provide a report for Council and contact the School Advisory Committee for more information in regards to crosswalk flags. We received correspondence from Jackie Belliveau and Melissa Risser who is the chairperson of the Bluenose Academy School Advisory Committee in regards to the installation of crosswalk flags at various crosswalks in the Town. We have contacted other municipalities in regards to the installation and maintenance of crosswalk flags and included a recommendation.

## 2. ISSUES AND OPTIONS

Crosswalk flags are being used in several Nova Scotia municipalities to attract a driver's attention when a pedestrian would like to cross the street. Flags are placed in a container at either side of the crosswalk and available for pedestrians to hold out and indicate to motorist their intent to cross the street. I have contacted other municipalities and they indicated that children and seniors are more inclined to use crosswalk flags.

I have contacted the Provincial Traffic Authority and Nova Scotia Department of Transportation and Infrastructure Renewal does not support or oppose the use of crosswalk flags. They have developed a standard drawing which identifies the preferred and optional location for installing the flags.

I contacted a senior traffic operations engineer at HRM and he indicated that the installation of crosswalk flags in HRM is not a City program. Their involvement is more of a facilitation role in that we allow the crosswalk flags to be placed within

the public right-of-way. The cost of materials and installation is borne solely by the community members wishing to have them installed at a particular location. They review the locations where the flags have been requested in order to provide feedback on any safety issues that may arise although they do not officially approve the installations. They only allow the flags to be placed at existing uncontrolled marked crosswalks.

I contacted the Town of Bridgewater, Village of Port Williams, Town of Hantsport, Village of Aylesford, Municipality of Chester and the Town of Windsor to discuss the installation of crosswalk flags in their communities. When the flags were first installed they had problems with the flags being stolen or carried away and thrown on public or private property. It seems the issue of flags being removed from and not replaced in the containers is more of a problem in towns then in rural municipalities and villages. It is important to have someone regularly check the flags on an ongoing basis to ensure that they are available for their intended use. A few Towns and Municipalities maintained the flags but the majority relied on nearby businesses or community groups to maintain the flags. When replacement flags were required they were replaced and paid for either by Towns, Municipalities, businesses or community groups.

I believe the best method of implementing a crosswalk flag program, based on information obtained to date, is that when a community group or individual would like to have crosswalk flags installed at a specific crosswalk or crosswalks that they get approval from the Traffic Authority before this request goes to Town Council. If the request is supported by the Traffic Authority then the community group or individual would write to Town Council to get approval as there is a cost of installing and maintaining crosswalk flags. The community group or individual must be willing to take on the responsibility of ensuring the flags are in their containers and if new flags are required they would contact the Town for additional flags at the Town expense. The cost to purchasing and installing the flags and containers at an approved crosswalk location would be at the Towns expense.

I contacted Melissa Risser, Chairperson of the Bluenose Academy School Advisory Committee, who is going to contact the principal of Bluenose Academy to confirm whether or not they would be willing to maintain the crosswalk flags. Her initial response was positive in regards to maintaining the flags but will follow up by email once she has discussed this issue with the principal. The crosswalk locations which are being considered are Lincoln at Dufferin Streets (adjacent to The Knot Pub), Falkland Street at Victoria Road (two crosswalks at this location) and at the intersection of Victoria Road at Green Street.

## 3. FINANCIAL IMPACT

Norm Collins is the president of the Crosswalk Safety Society of Nova Scotia. Mr. Collins is a Dartmouth resident and has been a strong advocate for the

installation of crosswalk flags in HRM and has also assisted other municipalities in implementing a crosswalk flag program. On the Safety Society's website there is information on the cost of purchasing flags and containers from them at a reasonable cost. The cost to set up a crosswalk with flags would be $200 plus tax which includes two crosswalk flag buckets and 30 crosswalk flags. The cost of replacement flags would be $5.50 plus tax. The cost of installing the buckets would be minimal as they can be placed on existing poles near the crosswalk. The funding for the crosswalk flags could come out of the Traffic Signs and Post operating account which currently has $1,700 spent out of a $3,000 budget.

The benefit of the Safety Society's buckets (4" PVC pipe with a cap) is that they include a label which reads as follows (1) Take a flag to increase your visibility, (2) Be absolutely sure all vehicles have stopped before you cross the road, (3) Place the flag(s) in the bucket on the other side and if you see the other bucket empty please take a few extra flags (4) The flags are helpful tools but always be cautious when crossing the road with or without a flag.

## 4. STRATEGIC PLAN RELEVANCE

This project is in keeping with the Strategic Plan Goal #5 "Operate Town Business Efficiently and Effectively", Section B (a) in regards to maintaining and upgrading community infrastructure.

## 5. RECOMMENDATION

It is recommended that if the Bluenose Academy School Advisory Committee is willing to maintain the flags installed at the intersections identified in this report that the Town pay to supply and install the crosswalk flags.

Encls (1) Emails from Belliveau and Risser

Acknowledged only by:

Bea Renton
Town Manager/Clerk

## Kelly Jardine

**From:** Kelly Jardine
**Sent:** September-23-16 11:01 AM
**To:** Kelly Jardine

Good morning Mayor Bailey,

I have a request for the town, but also need your advice about how to go about it.

In many school neighborhoods, towns have been putting a hand-held flag system into effect at busy crosswalks. Since Lunenburg doesn't have crossing guards, and we have a few very busy areas where school children cross daily, I think this would be a wonderful initiative to start up. The cost would be minimal, simply the flags and flag holders, but this simple thing would make our town's children more visible and therefore more safe.

I would recommend they been installed at Dufferin and Falkland (by The Knot), where Victoria Rd meets Falkland, and at the little road on the other side of the tennis courts (is this an extension of Green St?).

I have attached a link to an article about the flags. You will see right away what a great thing they are and how easily the town could implement them. Principal McGill, at Bluenose, thinks it's wonderful. Something so simple can save lives and at minimum, help prevents accidents.

See article: http://www.nsnews.com/news/crosswalk-flags-improve-visibility-safety-of-students-1.2174542



## Crosswalk flags improve visibility, safety of students

www.nsnews.com

A hand-held crosswalk flag pilot program at a West Vancouver elementary school is getting high marks. The pilot site is located at a busy crosswalk near West Bay ...

How would you suggest I go about pursuing this? Do I attend a town meeting? Do I email a specific counselor?

Thank you in advance for your help.

Sincerely,

Jackie Belliveau

## Kelly Jardine

**From:** Kelly Jardine
**Sent:** September-23-16 10:53 AM
**To:** Kelly Jardine

**From:** "Risser,Melissa" <Melissa.Risser@nscc.ca>
**Date:** September 20, 2016 at 2:29:17 PM ADT
**To:** "RBailey@explorelunenburg.ca" <RBailey@explorelunenburg.ca>
**Subject: Bluenose Academy School Advisory Committee**

Hi Rachel,

I hope all is going well for you and you've had some time off to enjoy the incredible weather we had this summer. Fall is in the air....when this humidity breaks for a moment!!

I am writing to you today on behalf of the Bluenose Academy School Advisory Committee...of which I am the chair person. Last spring I spoke with Denise Dodge-Baker regarding our crosswalk issues in the town. As I'm sure you remember, there was a student hit while riding his bicycle on the crosswalk to school last year at the end of the school year, and I fear this may be the first of many. Anyhow, my suggestion to Denise at the time was to look into the orange flags that are beginning to replace crossing guards all over Nova Scotia. They surround Bridgewater elementary and high school and really grab your attention as you're driving through those intersections, regardless the time of day.

Of course, Denise was on her way to a new position with the school board at the time. Earlier this week I spoke with our new principal, Steve McGill and he thinks the flags are a great idea and has actually had recommendations already this school year from other parents. So as SAC chair, I offered to reach out to you to see what supports and thoughts you may be able to offer. Is this something the town would be willing to install, and if so what steps need to be taken to have this happen?! Also, what kind of time line would we be looking at?

I look forward to hearing from you and working together to see this happen. If you haven't already experienced driving through the flags I would suggest that you take the opportunity to drive past Bridgewater school the next time you are in the neighbourhood. I think this would be an incredible safety feature for our students as well as all residents of the town of Lunenburg.

Best Regards,
Melissa Risser

Sent from my iPad
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# Crosswalk Flags Coming To Lunenburg

**Bridgewater, NS, Canada / Country 100.7**
News
November 21, 2016 11:57 am




Safety flags will soon be marching across streets in Lunenburg.

Town council approved buying a kit of safety flags to be put up at crosswalks in the area near Bluenose Academy.

Chairperson of the Bluenose School Advisory Council, Melissa Risser says recent events sparked her concern.

“A child was riding their bicycle in the intersection and there was a bit of a traffic issue there. I guess just to increase the safety for all the students so something like that doesn’t happen again”

Risser  thinks the flags could be a real help.

“We have been looking for a way to make the crosswalks safer around the school for a couple of years now. We’ve seen in several different communities, these flags popping up.”

The Bluenose SAC will maintain and manage the flags.

Risser says RCMP are going to be invited to explain to students how to use the flags before they are installed.

**Photo courtesy of Facebook*

Like 0 Tweet

**Latest**



[Former Bridgewater Police Chief Found Guilty]

*A few minutes ago*



[Collyer Verdict Due This Morning]

*12h ago*

**46** Views



[MODL Taking Action On Climate Change]

*21h ago*

**101** Views



[New Canteen Management Bringing In a Different Taste]

*23h ago*

**218** Views




[RCMP Asking Motorists To Take Care Around School Buses]

*Oct 23, 2019*

**15** Views



[d'Entremont Wins West Nova]

*Oct 22, 2019*

**4** Views

ON AIR NOW
**10:00 AM - 3:00 PM**
**Work Days with Alicia**




Listen While You Work!

Alicia Hunter

Listen Live

## Last Played



**Luke Combs**
**Even Though I'm Leaving**
*3 minutes ago*
iTunes



**Aaron Pritchett**
**Lucky for Me**
*12 minutes ago*
iTunes



**Aaron Lines**
**Cheaper To Keep Her**
*15 minutes ago*









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Schedule "C"

It gives the Town of Lunenburg great pleasure to nominate the Lunenburg Lasers for induction into the Nova Scotia Sport Hall of Fame **Lunenburg Lasers, 1979-86**

The Lasers blazed a trail in soccer in general and, in particular, for females in soccer. They showed that Nova Scotia teams could play with a quality and persistence that not only dominated Atlantic competition, but could be a force and win against major powers at the national level. They dispelled the myths of inferiority for all Nova Scotia teams, and for women in soccer.

The team made provincial and national sports history, being the first Nova Scotia soccer team to achieve honours at the Atlantic and National levels, and to host inaugural national events. The achievements of the Lasers have been truly unique: some unprecedented and some not equalled since.

For eight years 1979 to 86, the Lasers dominated female soccer in Nova Scotia and Atlantic Canada. They made their mark provincially and nationally by being Nova Scotia and Maritime or Atlantic Champions in seven of those eight years of competition.

The team made national soccer history when it hosted, and, as provincial champions, participated in the first-ever Canadian Soccer Association Eastern Canadian Women's Club Championship, in 1982, in Lunenburg [press clippings attached] Because of their status, the Canadian Soccer Association allowed the Lasers to host this inaugural event.

In 1984, they were the first Nova Scotia team to be rated third in Canada and top in Eastern Canada: Atlantic champions then beating the champions of both Ontario and Quebec in national club championships, and the first Atlantic team to medal at a full [minimum six-team] national tournament [press clipping attached]. For this achievement, Soccer Nova Scotia, at a special awards ceremony held on its 25th Anniversary in 2002, presented the team with its Outstanding Achievement Award.

Lasers are the only team to have been Soccer Nova Scotia's 'Girls Youth Team of the Year', 'Women's Team of the Year' and 'Team of the Year' in the same year, 1980 [Soccer Nova Scotia citation attached]. The achievement has not been equalled since. They repeated as 'Women's Team of the Year' in five of the six following years.

For all of its eight years of existence, the team was champion of the league it played in: first the Lunenburg County League, then, for seven consecutive years, the premier women's league in the province before the NSSL, the Metro Women's League. This too was unprecedented and has not been equalled since.

**All-Star/Provincial Team Players** The team's exceptional quality was reflected in the 1980 victory, while still a U-18 club team, representing South Shore, winning the open-age Soccer Nova Scotia Inter-Regional All-Star Tournament. Then in 1982 Lasers had six players [Carolyn Covey, Rachel Backman, Yvonne Lohnes, Denyse Cook, Pam Rafuse, and Susan Collicutt] selected to the first provincial all-star team [news clipping attached]. The team repeated as

regional all-star champions again in 1984. In 1986 four players [Rachel Backman, Carolyn Naugler, Denyse Cook, and Sally Pirie] were selected to the provincial select team that was sent to an interprovincial tournament in Winnipeg as part of the selection process for the first national women's team. Carolyn Naugler and Sally Pirie were selected for the national team camp, and Sally Pirie was selected to the very first national team.

The team attracted widespread media attention. For example, On October 12th 1982 the *Chronicle-Herald* Sportsweek section headlined [clipping attached] a full double-page story: ***'The year of the Lasers.'*** In a Daily News retrospect column [clipping attached] in May 1998, sports editor Carl Fleming had as his headline: '***Lasers blaze soccer trail in 1980s',*** and referred to the team as a past ***'provincial powerhouse and contender on the national stage…amazing for a small town that relied primarily on local talent.'*** Lasers were also honoured by their hometown, Lunenburg. The Town Council and Board of Trade held celebrations and receptions in their honour

**LUNENBURG LASERS, 1978-1986 Chronology**

Founded in 1978. The team/club was founded by its long-time coach and mentor Bob Sayer. Sayer went in to be an inductee in the Nova Scotia Sports Hall of Fame [1992] and the Canadian Soccer Hall of Fame [2020]-ceremony postponed to 2021 because of coruna virus.

1978: Provincial U16 Girls Champions, Maritime Champions, Lunenburg County Women's League Champions.

1979: Provincial U16 Girls Champions, Maritime Champions [hosting the tournament in Lunenburg, beating Moncton 11:0, and Hunter River 3:1 ], Eastern Canadian Bronze Medallists, Lunenburg County Women's League Champions.

1980: Provincial U-18 Girls Champions and Women's Champions, Metro Women's League Champions.

Soccer Nova Scotia Girls Team of the Year, Women's Team of the Year, and Team of the Year.

Team won the Atlantic U18 Championship in PEI, beating defending champions Charlottetown in the semi-final [1:0] and the Newfoundland Champions in the final [3:1]

1981: Provincial U-18 and Women's Champions, Metro Women's League Champions, Winner of the inaugural SNS Women's League Winners Cup [with a win in Cape Breton over the Sydney Blues Sisters]. Soccer Nova Scotia Women's Team of the Year.

1982: Provincial Women's Champions, Metro Women's league Champions, Soccer Nova Scotia Women's Team of the Year.

Lasers hosted first-ever Eastern Canadian Women's Club Championship, losing final 2:1 to London Concorde.

Representing South Shore, Winners of Soccer N.S. Inter-Region All Star tournament. Six players selected for provincial select team.

1983; Champions Metro Women's League and Soccer Nova Scotia Nova Scotia Inter-Provincial Women's Club Tournament. Winners of Soccer Nova Scotia Preseason Tournament

1984 Repeated as winner of the SNS interprovincial Women's Club Tournament.

Bronze Medallists at national Championships: first Nova Scotian team and Atlantic champions to medal at national club championships, and, in doing so beat the champions of Quebec and Ontario, making them the top team in Eastern Canada.

1985: Undefeated in regular season play, Lasers were again League and Provincial Champions, and went to nationals.

1986 Provincial Champions: last appearance at National Club Championships. Metro Women's League Champions.

Four players selected for N.S. provincial team at inter-provincial tournament in Winnipeg. Two invited to national team camp, and one selected to national team.

1987 Metro Women's League Champions. Final year of club's existence.

In the near decade of their existence, the Lasers were provincial champion seven times in eight years. and Metro Women's League Champions seven consecutive years.

**Lunenburg Lasers Team Honours Highlights**

The Lasers were provincial champions and participated in seven national championships in their eight years existence. They hosted Maritime, Eastern Canadian and National Championships.

1978-9: Established as a youth, team and won their first provincial and Maritime Championships at the U-16 level.1979 repeated as Provincial and Maritime U-16 Champions the following year.

1980 won an unequalled three Soccer Nova Scotia Awards: Youth Team of the Year, Women's Team of the Year, Nova Scotia Team of the Year With a record of 36-2-4 Team was champion of the Metro Women's League, U-18 provincial, and Atlantic regional play-offs-where in Charlottetown they beat the New Brunswick, P.E I and Newfoundland representatives.

In 1980 the Metro Women's League [a forerunner of the NSSL] was started to attract the best teams in mainland Nova Scotia, and the Lunenburg Lasers were champions every year up until 1986, the Lasers last year as a club.

1981 the Lasers went to nationals as U-18 provincial champions. They were also Metro Women's league Champions, and won Soccer Nova Scotia's first Women's Leagues Championship in Sydney.

1982 Won Metro League with perfect 16:0 record. Provincial Champions, the Lasers went on to host in Lunenburg a nationally historic first-ever Eastern Women's Canadian Club. Championship, losing the final 2:1 to London Concorde of Ontario. Six Laser players were selected to the first Soccer Nova Scotia all-star team.

1983-4 Soccer Nova Scotia had earlier instituted the Soccer Nova Scotia Inter-Provincial Club Tournament to attract top teams from Newfoundland to Ontario. The Lasers were repeated champions over these two years.

1984 Repeating as provincial champions, Lasers went undefeated in the regular season. The squad, a club team representing the South Shore, also won the Nova Scotia Inter-Regional All-Star Tournament, competing against the best players from other regions' clubs

The Lasers beat Hunter River 10:0 and Fredericton 11:0 for the Maritime title and went on to be the first Nova Scotia team to medal at the first country-wide, 6-team, national club championships, and the first to beat the champions of both Quebec and Ontario [making them Top Team in Eastern Canada]. For this notable pioneering breakthrough, the team was later, in 2002, awarded a ***Soccer Nova Scotia 25th Anniversary Outstanding Achievement Award.***

1985: Lasers again undefeated in winning the Metro Women's League and President's Cup and the provincial Challenge Cup before again heading to nationals.

1986: Lasers were again provincial champions and attended nationals. Four Laser players were chosen to play for the provincial all-star team at a national tournament in Winnipeg: the start of the national women's team program.



## Honored by Board of Trade

***The Lunenburg Board of Trade honored the Lunenburg Under 18 Girls Soccer Team during their Ladies Night last week by having them as guests and presenting them with individual trophies. Shown are (front row, left to right) Denise Cook, Carolyn Covey, Jayne Falkenham, Susan Perry, Nancy Mosher, Joanne Courtney, Diane Shaw, Yvonne Lohnes; Standing (left to right) Al Toms, Beth Dauphinee, Marion von Possel, Ann Wright, Megan Marnitz, Pam Rafuse, Lisa Courtney, Paula George, Mary Anne Tanner, Rachael Backman, Bob Sayer (coach). Missing - Cheryl Whynot.***

1980

(Zinck Photo)

# Girls soccer champs honored

The Lunenburg under 18 girls soccer team was officially honored by the Lunenburg Board of Trade last Thursday night. In a special ceremony held during the Board of Trade Ladies Night over one hundred people gathered to pay tribute to the eighteen girls who put Lunenburg on the soccer map the past two years.

Al Toms, a member of the Board of Trade and himself a soccer player and referee for many years, spoke of the many achievements of this group of girls. He stressed the point that the team is a community team and not a school team though they "came up through the ranks" of school soccer.

All the players are from Lunenburg County, and all but two live in or just outside the town of Lunenburg.

In 1979 the team was the Nova Scotia Under 16 champions and Atlantic Canada Under 16 champions. The girls went to Montreal for the Eastern Canadian competition but lost out to the upper Canadian teams.

In 1980 the girls moved up to the Under 18 class because, naturally the girls were a bit older.

1980 was a record year. They played 42 games, won 36, tied 2 and lost 4, they were the Lunenburg Indoor Tournament Winners, Halifax-Metro League Champions, Nova Scotia Senior Women's Champions, Nova Scotia Under 18 Youth Champions, Atlantic Canada 18 Youth Champions. They again represented the Atlantic Provinces in Burlington, Ontario in the Eastern Canada Finals.

At the Soccer Nova Scotia A.G.M. and Awards Banquet in November they were declared Nova Scotia Girls and Women's Team of the Year, and in competition with outstanding men's teams, were declared Soccer Nova Scotia Team of the Year.

The team has played in Long Island (New York State), Montreal, Burlington (Ontario), Charlottetown, as well as the length and breadth of this province.

Mr. Toms concluded his remarks with: "The team has proudly carried the name of Lunenburg and has brought the town widespread publicity in the media. They are a credit not only to their coach and parents, but to the entire community."

As Mr. Toms called each member of the team to come forward they were each presented with an engraved trophy from the Lunenburg Board of Trade. He explained that even though the team had won many laurels and trophies this was the only individual memento they had to show for their acvhievements that they could keep.

As a personal gesture, Mr. Toms presented a larger trophy to "the most improved player on the team" to Ann Wright.

Following the presentation their coach, Bob Sayer paid tribute to the girls for their skill and devotion to the team and the game of soccer. He said soccer was fast becoming the number one sport in Canada and in 1980 over 250,000 young people registered in youth soccer. He thanked the parents for their assistance and perseverence, and had praise for the merchants and citizens of the Lunenburg area for their support.

Mr. Sayer said that three of the girls would be over age for the team this year but most of them would provide an even stronger team in 1981 because of their experience and enthusiasm. He said an Atlantic Provinces team had never won a game in Eastern Canadian finals but he was confident that with an even stronger and experienced team this year, it was the one all of them were certain was to be the really big year when they could go "all the way". He cited another advantage was that the Eastern Canadian Finals would be in Nova Scotia in 1981 and said he hoped Lunenburg could be the home of this important series.

1982



## *Signing the guest book*

***Co-captains of the three finalists in the Women's Eastern Canadian Soccer Championships signed the guest book of the town of Lunenburg last Saturday following a luncheon at the Jaycee room. From left to right are Anita Sauer and Nancy Allen of London Concordes, Elaine Gallant (seated) and Chris Loewen of Moncton Golden Lights, Denise Cook and Rachel Bachman of host Lunenburg Lasers.***

(Zinck photo)

**Document No:**
**Meeting:** August 25, 2020
**Circulate To:** Council, BR, LD
**File:** Lunenburg Academy

# M E M O R A N D U M

**TO:** **TOWN COUNCIL**

**FROM:** **ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE:** **AUGUST 5, 2020**

**RE:** **LUNENBURG ACADEMY EXTERIOR RESTORATION PROJECT UPDATE – INFORMATION ONLY**

---

## 1. FACTS

This report is intended to provide an update as to the progress made with regards to the Lunenburg Academy Exterior Restoration Project. Included in the attachments are the DSRA Field Review Reports **(Attachment A),** the report to Parks Canada in line with their funding agreement **(Attachment B)** and additional photos **(Attachment C).** The following is for Council's information.

## 2. ISSUES AND OPTIONS

The project is progressing quite well. Staff undertook an assessment of the conditions with Schooner and DSRA and have encountered more rot than anticipated, particularly with regards to the window sills, transom sills, ornamental bands as well as the brackets, dentils and trims. The East Elevation turned out to be the worst side of the Academy. However, we did foresee this possibility and there are sufficient funds built into the budget to address these components.

In addition, originally the DSRA contract foresaw three months in 2019 and three months in 2020. As the work has been more intense due to the extra rot, and due to the extension of the work schedule due to COVID-19, an additional month or two may be added to their contract. We anticipate that there will be sufficient funds in the contingency account to cover the additional month or two in contract administration services provided by DSRA if needed.

The work completed to date is summarized below:

### Mansard Roof and Towers

The restorations of the mansard roof and towers have been substantially completed. A flashing detail as outlined in Field Report #8 has been initiated and is anticipated to be completed shortly.

**Dormers**

The barreled dormers along the mansard roof have been restored. The pediments of the windows will be undertaken as the contractor works their way down from the top.

**Windows**

The window trims, headers, top caps, sills and pediments were cleaned and assessed. Window sashes were pulled, assessed and in the process of being restored for re-installation. Roughly 75% of the window sash rehabilitation work has been completed.

**Entrances**

The south accessibility doorway and lobby area has been 90% completed. The flooring will be installed shortly and the brick pavers have been lifted to ensure a smooth transition. The two (2) front entranceways doors for the East elevation have been manufactured and will be installed later this summer.

**Wood Bracketry and Dentils**

Deteriorated wood bracketry and dentils are in the process of being repaired or replaced to match the existing. The contractor has manufactured several brackets and dentils and had them primed and painted in an enclosed controlled environment for installation as they proceed from the roof downwards.

**Exterior Walls**

The watertable along the East façade has been replaced. The clapboard was found to be in relatively good condition. As the project proceeds, any deteriorated wood was repaired or replaced to match the existing. The entire first level of the Academy is now ready to be primed and painted. Most of the shingles were found to be in poor condition and will be replaced to match existing. The wood shingles have been primed and painted in a control environment and will be installed as the contractor proceeds downwards from the roof. The horizontal bands of the east façade were also founded to be in very poor shape. Roughly 65% of these bands have been manufactured, primed and painted and as the contractor proceeds down the façade these horizontal bands will be installed.

Phase II of the Lunenburg Exterior Restoration Project will be completed in early October and a follow-up memo will be presented to Council shortly thereafter.

## 3. FINANCIAL IMPACT

The Lunenburg Academy Exterior Restoration Project is currently in line with the budget approved by Council. It is anticipated that due to additional window repairs as well as the additional rot found along the pediments, cornerboards, window trims, window sills, transom sills and the horizontal bands that we will have to use a portion of the contingency funds which were approved as part of the original budget. We currently estimate that the entire costs will not exceed the budgeted amount.

**Approved Budget:**
Total Approved Budget (Sept.24/19 Council In-Camera) $ 1,508,500.00

**Current Budget:**

| | | |
|---|---|---|
| **Total Budget:** | **$1,508,500.00** | |
| | | |
| Schooner: ($1,210,707 plus HST(1.04286)) Includes Change Order #24, #25 and #26 | **$1,262,597.90** | (inclusive of HST) |
| DSRA: ($88,500 plus HST (1.04286)) | **$ 92,293.11** | (inclusive of HST) |
| | | |
| **Combined Schooner and DSRA Costs:** | **$ 1,354,891.01** | |
| | | |
| **Balance Remaining:** | **$ 153,608.99** | |

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**

The intent of this memo was to update Council for information purposes. No further action is required at this time.

**Attachments:**
- **A.** DSRA Field Review Reports
- **B.** Parks Canada Report
- **C.** Additional Photos

Acknowledged only by:

Bea Renton
Town Manager/Clerk

June 23, 2020

Dear Lunenburg Mayor and Council,

I am writing this letter in response to an email I received from Ian Tillard, Town Engineer. This was a reply to an application I had submitted in April. I am requesting the removal of a Linden tree on the corner of my property. The purpose in having this tree removed is so that a driveway can be installed. At the present time some people are not able to access my home due to the long walkway and stairs. A driveway will allow a vehicle to get to the back deck of the home. A competent contractor who will be instructed to follow all traffic safety procedures will carry out the removal of the tree. It is my understanding that Town Council will chose a replacement tree – however I highly recommend a Linden tree returning to Linden Avenue.

Thank you for your attention to this matter,

Paula Baker

TOWN of LUNENBURG
A World Heritage Site

119 Cumberland Street
P.O. Box 129
Lunenburg, Nova Scotia
Canada B0J 2C0

www.explorelunenburg.ca

TOWN OFFICE
902-634-4410

ELECTRIC UTILITY
902-634-4410

FIRE DEPARTMENT
902-634-8343

PUBLIC WORKS
902-634-8992

RECREATION
902-634-4006

FACSIMILIE
902-634-4416

April 28, 2020

Ms. Paula Baker
PO Box 1467, 26 Linden Avenue
Lunenburg, NS
B0J 2C0

Dear Ms. Baker:

Re: Work Order request WOR 2020-03, 26 Linden Avenue

I am responding to your Work Order Request for the removal of a tree and a curb cut to accommodate the installation of a second driveway at 26 Linden Avenue. As background I am the Consulting Town Engineer for the Town of Lunenburg.

Unfortunately we are denying the request for the following reasons:

- There is currently one driveway access to the property
- It is unacceptable to the town to remove trees unless it is a safety issue with no other mitigation possible.
- It is unacceptable to the town to delete parking spaces unless it is a safety issue with no other mitigation possible.

If you require further information, please do get back in touch.

Regards,

Ian Tillard

Ian Tillard, P.Eng.
Consulting Town Engineer

TOWN OF LUENBURG
**PUBLIC WORKS DEPARTMENT**

# Work Order Request Form

**Contact Information**

| Name: Paula Baker | Phone: 9025213242 | Email: ppbaker@eastlink.ca |
|---|---|---|
| Address: 26 Linden Ave. | | |

**Request Details**

Location of Service Request: 26 Linden Ave.

**Category:**

| | | |
|---|---|---|
| ☐ Buildings | ☐ Streets | ☐ Sidewalks |
| ☒ Trees | ☐ Sewer | ☐ Water |
| ☐ Parks/Trails | ☐ Solid Waste Collection | ☐ Driveway/Civic Numbering |
| ☐ Other (describe): | | |

**Urgency of Request**

| | |
|---|---|
| ☐ Emergency | Situation/condition requires immediate action for safety purposes or will result in negative impacts to the environment |
| ☐ High | Situation/condition is interfering with business/traffic |
| ☐ Normal | Situation/condition should be scheduled as time permits |

**Request Description**

The tree needs to be removed in order to install a driveway. The house cannot be accessed by folks with mobility challenges, due to the long walkway and large number of stairs. The tree will be removed by a competent contractor who will be expected to follow all traffic safety procedures. The tree is located between 20 and 26 Linden Avenue. See previous application for a sketch if necessary.

Request received by and date:

## Public Works Department use only below

| TRACKING NUMBER: 2020-03 | ASSIGNED SUPERVISOR: |
|---|---|

WORK APPROVED BY PUBLIC WORKS DEPARTMENT

PUBLIC WORKS SUPERVISOR: _____ Date: _____

SUPPORTING DOCUMENTS RECEIVED: _____

REQUIRED PERMITS ISSUED: _____

LABOUR AND MATERIAL ESTIMATE SIGNED OFF BY APPLICANT? ☐ yes ☐ not applicable

ESTIMATED JOB COMPLETION DATE: _____

REQUEST RESPONSE: _____

_____

_____

JOB COMPLETION DATE (notify requester) _____

# WORK ORDER REQUEST INSTRUCTIONS TO THE REQUESTER

1. Please attach a sketch showing:
    a. Detail of services requested showing dimensions
    b. Location of service(s) requested.
    c. Location of property lines and building locations (can be approximate and we can fill in details later if needed)
    d. Location of adjacent features such as town trees, parking spaces, hydrants and the like.
    e. A hand sketch is all that is required but please give relevant dimensions.
2. Include any permits that are applicable
3. Add any pictures that you might think are useful.
4. Fill out the form and submit it to TOL Administration including the sketch, permits and any pictures. Email to Kelly Jardine; kjardine@explorelunenburg.ca
5. Once the form is returned to the Town:
    a. if it involves the Town doing work then:
        i. A Cost Estimate Form will be provided to the requester with the costs for doing the work.
        ii. Requester must provide a signed copy of the Cost Estimate Form back to the Town.
        iii. Requester must provide a 50% deposit of the value of the work to the Town.
        iv. The Town will keep the requester informed about dates and other relevant information related to the request.
    b. if the Town will not be doing the work then;
        i. The Town will return the form with any comments or directions to the requester
6. General Information:
    a. For waste and storm systems, the cost to connect is the responsibility of the landowner for the entire hookup. The normal procedure is for the Town to do the work on the town property and the landowner's contractor to do the work within the private property.
    b. For water systems, the cost to run the line to the property line is the responsibility of the Town and the Town will perform this work. The costs to run the line from the property line is the landowner's responsibility.
    c. For ditching and culverts, if there is no storm drain along a street and storm water is carried by a ditch and culvert system, and the owner wants access to their property, the costs for such an installation for any ditching and culvert work is the owner's cost. The work is either done by the town or by a town approved contractor. If the installation is for storm water control only, then it is the town's cost.