

AGENDA
POLICY & STRATEGY COMMITTEE MEETING

Bridgewater, NS

Tuesday, February 18, 2020 – 9:00 a.m.

Time & Page

1. CALL TO ORDER
2. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITION
3. PUBLIC INPUT (15 Minutes)
4. APPROVAL OF AGENDA – Added Items
5. APPROVAL OF MINUTES – January 21, 2020 (as circulated)
6. BUSINESS ARISING FROM MINUTES
 - 6.1 2020 Municipal Election Office..... 1-2
7. PRESENTATIONS - NIL
8. REFERRAL FROM COUNCIL
 - 8.1 First Lego League Team – Let’s Protect the Bees..... 3-6
9. STAFF REPORTS
 - 9.1 Planning Department
 - 9.1.1 Private Road By-law Amendment 7-40
 - 9.2 Administration Department
 - 9.2.1 Repeal and Replacement of Council’s Safety Policy..... 41-59
10. MAYOR’S/DEPUTY MAYOR’S/COUNCILLORS’ MATTERS
 - 10.1 Election Signage (Councillor Bell).....60
11. ADDED ITEMS - NIL
12. IN CAMERA
 - 12.1 Sale of Municipal Land re Osprey Village under Section 22(2)(a) of the MGA
 - 12.2 Contract Negotiations re LCLC under Section 22(2)(e) of the MGA
13. NEXT MEETING – March 17, 2020 – 9:00 a.m.
14. ADJOURNMENT



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Policy & Strategy Committee
SUBMITTED BY: Sherry Conrad, Municipal Clerk
DATE: February 12, 2020
RE: **2020 Municipal Election Office**

RECOMMENDATION

“that the Policy & Strategy Committee recommends to Council that Municipal Council establish the 2020 Election Office at 373 King Street, Bridgewater, commencing May 1, 2020”.

EXECUTIVE SUMMARY

The 2020 Municipal Election will be held on October 17, 2020. In order to prepare for the Election, Council needs to make decisions regarding the location of the Election Office.

DISCUSSION

The 2016 Elections Office was established at the MARC Administration Building. As the Municipality owns the building there was no rental fee. There were a number of issues identified setting up the Elections Office at the MARC, the main one being that it is not wheel-chair accessible. As well, during the summer months when Recreation staff are working, the building is very busy and there is no privacy.

Staff presented a report at the January 21, 2020 Policy & Strategy Committee meeting identifying a limited number of options for rental spaces for an election office. At that meeting, Councillors had offered suggestions of other rental spaces that may be available in the Municipality. Staff were directed to follow up on these suggestions with the goal of finding a suitable location for the election office in the Municipality, located centrally, that would accommodate the requirements. Staff’s goal was to find a location that was wheel-chair accessible (entrance and washroom), two offices, a meeting room and access to a kitchenette.

Staff reviewed a number of locations in the Municipality. Some of the owners were not interested in short term rentals and other locations did not provide wheel-chair accessible washrooms. Rental fees ranged from \$800 to \$1,800/month. A month-to-month lease would be required from May 1 to October 31, 2020.

It is recommended that office space be leased at 373 King Street in Bridgewater, the current location of offices for MODL's Business Development, Tourism and Infrastructure staff, the REMO Coordinator and the Manager of Wastewater Services. The owner of the building has agreed to lease two offices from May 1 to October 31, 2020 for \$800/month.

The advantage of leasing office space at this location is that there are already Municipal staff located at this building, both the entrance and washroom are wheel chair accessible, there is access to a kitchen area, a meeting room, a photocopier and municipal internet.

BUDGET IMPLICATIONS

Municipal Council allocates funds yearly in a reserve during non-election years to finance expenditures in an election year. If Council goes with the King Street location, the monthly rental fee would be \$800/month. The King Street office location had the lower rental fee of all the other locations.

STRATEGIC PLAN

N/A

WORK PLAN

N/A

ALTERNATIVES

Keep looking for a location in the Municipality.

CONCLUSION

Staff investigated a number of possible locations to set up an Election Office in the Municipality and either the landlords were not interested in a short-term lease or the facilities that were available were not wheel chair accessible – entrances could have been made wheel chair accessible, but the washroom facilities were not. The King Street office location is wheel-chair accessible (entrance and washroom) and is available on a short-term lease.

Department: Administration

Report Prepared By: Sherry Conrad

Date: February 12, 2020

Report Approved By: Alex Dumaresq

Date: February 13, 2020

Reviewed By CAO:

Date:

Policy & Strategy Committee

February 18, 2020

Item: 8.1

Authorization: Tom MacEwan



MEMORANDUM

**TO: Chair & Members
Policy & Strategy Committee**

FROM: Tom MacEwan, Chief Administrative Officer

DATE: February 11, 2020

RE: First Lego League Team- Let's Protect the Bees

Municipal Council, in session on Tuesday, February 11, 2020, received a presentation from representatives of the First Lego Team of the Centre Scolaire de la Rive Sud entitled, "Lets Protect the Bees". The students have asked that Council consider preparing a Pollinator Action Plan which could include action as per the attached.

This matter is being forwarded to the Policy & Strategy Committee for consideration.

A handwritten signature in blue ink, consisting of a stylized 'T' and 'M' that loops together.

Tom MacEwan
Chief Administrative Officer

/trb

Council

Item: #8.2

Date: February 11, 2020

Authorization: T. MacEwan

Maeva - Good morning, my name is Maeva Brisson. I am in grade 5.

Lucas - Good morning, my name is Lucas Merrill. I am in grade 5.

We are members of the First Lego League team from Centre Scolaire de la Rive-Sud. We are participating in the Lego provincial competition at Acadia University. This year the theme is "City Shapers". Besides building and programming a robot, each team must identify a world problem related to the theme. Each team must design a solution.

We chose to work on the disappearance of bees which is why we are here today. We have a problem – bees are disappearing. Maybe you are wondering why this is a problem we must all concern ourselves about. The answer is simple. Without bees there will be no people, and without people there will be no towns, municipalities or cities.

We did some research and have some facts to share with you. In the USA – 30% of the bee population dies every year. In Europe – 20% of the bee population dies every year. Some private bee keepers sometimes lose 90% of their bees. In 1947, there were approximately 5.9 million bees in the world. In 2008, there were only 2.44 million bees.

In Europe, the production of honey has gone from 32 000 tons to 9 000 tons. The members of our team also mentioned that when they were younger, there were bees in the flowers and now there are very few.

If the bees disappear completely, one third of the food we eat will be gone as many plants depend on bees for pollination.

Here is a video that we would like to share with you: <https://www.youtube.com/watch?v=JiIYBVrFiLA>

We are here to ask that you prepare a pollinator action plan. This plan could include:

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

Thank you for listening to our presentation. Please help us save the bees. As we said in our presentation at NSCC – "It's our beesness to help the bees stay in their beesness." We have a bag of seeds for you which you can use for a pollinator garden.

Pétition
Les élèves du Centre scolaire de la Rive-Sud
Protégeons les abeilles

Nous, les élèves de la 4^e année à la 6^e année, appuyons la demande de l'équipe des Vipères, le club de Lego du Centre scolaire de la Rive-Sud. Cette équipe demande aux conseils élus de la ville de Bridgewater, de la ville de Lunenburg, de la ville de Mahone Bay, de la Municipalité de Chester et de la Municipalité du District de Lunenburg d'établir un plan d'action pour protéger les pollinisateurs, plus particulièrement les abeilles. Ce plan pourrait inclure :

- a) L'éducation des citoyens sur la disparition des abeilles grâce à des brochures et sur ce que les familles peuvent faire dans leur propre cour pour aider.
- b) L'interdiction des pesticides contenant des néonicotinoïdes. Ces pesticides sont très dangereux pour les abeilles
- c) L'accès à des lieux favorables aux pollinisateurs dans les jardins publics avec des fleurs que les abeilles aiment fréquenter
- d) L'installation d'hôtels pour les abeilles dans les espaces publics. Les types d'abeilles qui y vivent sont solitaires. Les mâles n'ont pas de dard et les femelles ne piqueront que si elles sont piégées ou serrées. Cela en fait un voisin idéal pour le jardin domestique car ils ne représentent pas ou peu de menace
- e) L'offre de séances d'informations sur la disparition des abeilles par les services de loisirs, y inclus la construction d'hôtels pour les abeilles

We, the students from grades 4 to 6, support the request from the Vipères team, the Lego club at Centre scolaire de la Rive-Sud. This team requests that the elected councils of the Town of Bridgewater, the Town of Lunenburg, the Town of Mahone Bay, the Municipality of Chester and the Municipality of the District of Lunenburg establish a pollinator action plan to protect pollinators, especially bees. This plan could include:

- a) The education of the citizens about the disappearance of bees through pamphlets and what families can do in their own backyard to help.
- b) The ban of pesticides that contain neonicotinoids. This is an important step as these pesticides are very dangerous to bees
- c) The access to more pollinator friendly places in public gardens with flowers that bees and other pollinators like
- d) The installation of bee hotels in public spaces. The type of bees which live in these hotels – mason bees - are solitary. The males do not have a stinger, and the females will only sting if trapped or squeezed. This makes them an ideal neighbor for the home garden, since they pose little to no threat of stinging
- e) The offer, by the recreation department, of information sessions about the disappearance of bees. These sessions could include the construction of a bee hotel for the home.



Let's Protect the Bees

The bees are disappearing and we need to help them.

Some facts :

- In the United States – 30% of the bee population dies every year.
- In Europe – 20% of the bee population dies every year.
- Private beekeepers are losing up to 90% of their bees.
- In 1947, there were 5,9 millions bees.
- In 2008, there 2,44 millions bees.
- In Europe, the production of honey has decreased from 32 000 tonnes to 9 000 tonnes.

We have to help them because if we lose them, we will lose one third of our food. We will also lose our clothing because cotton plants are pollinated by bees. The only food that will be left is wheat, corn and rice because they are pollinated by the wind.

What you can do:

- #1. You can build bee hotels .
- #2. You can be kind to bees and to the flowers .
- #3. You can plant flowers that bees like.
- #4. If you find a beehive, call a beekeeper and not an exterminator. The exterminator will kill the bees but the beekeeper will transfer the nest elsewhere.
- #5. Don't cut the dandelions.

Here are two videos which can give you ideas on how to help the bees.

<https://www.nationalgeographic.org/media/build-your-own-bee-hotel>

<https://www.youtube.com/watch?v=TkIME77Ow-A>

Please help us protect the bees!

L'équipe Vipères 1 – club de Lego robotique



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: Policy and Strategy Committee
SUBMITTED BY: Byung Jun Kang, Planner
DATE: February 18, 2020
SUBJECT: PL190051 – Private Roads By-law Amendment

ORIGIN

Policy and Strategy Committee, January 21, 2020.

LEGISLATIVE AUTHORITY

Municipal Government Act, Subclause 81(1)(da)(ii):

The council may make by-laws imposing, fixing and providing methods of enforcing payment of charges for laying out, opening, constructing, repairing, improving and maintaining private roads, curbs, sidewalks, gutters, bridges, culverts and retaining walls that are associated with private roads, where the cost is incurred under an agreement between the municipality and a person.

Municipal Government Act, Subsections 75(1), (2), (4) and (5):

The council may spend money in an area, or for the benefit of an area, for any purpose for which a municipality may expand funds or borrow. The council may recover annually from the area the amount required or as much of that sum as the council considers advisable to collect in any one fiscal year by a uniform charge on each taxable property assessment or dwelling unit in the area. The charges are first liens on the real property and may be collected in the same manner as taxes.

RECOMMENDATION

That the Policy and Strategy Committee recommend Municipal Council to give notice of its intention to repeal the Private Streets Maintenance and Improvement By-law and replace it with the Private Roads By-law and conduct First Reading of the same; and further, that Municipal Council direct staff to develop supplementary materials regarding road maintenance for the residents living on a private road.

BACKGROUND

Staff presented the summary of private road discussion occurred in September 2019. Staff then sought for the general direction of the Council as to how to move forward with the amendment to the existing Private Roads Maintenance and Improvements By-law.

DISCUSSION

Policy and Strategy Committee provided the following directions:

1. Move forward with the creation of an alternative process to the existing petition process for those private residents who are not eligible, where the alternative process includes the criteria for the Council to consider when determining the reasonability of such request from the public.
2. Move forward with the lowering of thresholds for the petition and the budget approval processes down to “more than 50%”.
3. Move forward with the simplification of the existing by-law by removing outdated provisions and updating terms to reflect the current situation of private roads.

Supplementary Resources

Although this is not part of the by-law amendment, the public voiced its wishes to have access to guidelines that may help the maintenance, operation and administration of private roads and their associations. Staff recommends developing supplementary materials regarding road maintenance for the residents living on a private road, including but not limited to:

- directories for maintenance services by contractors;
- a model society by-law for private road associations;
- a set of recommended standards for private roads; and
- a Frequently Asked Questions sheet for common legal questions.

COMMUNICATION CONSIDERATIONS

If the Council issues a notice of intention to adopt the new Private Roads By-law, staff plans to engage with the following stakeholders:

- All existing private road associations under the municipal agreement; and
- Those participants of previous engagement sessions who wished for follow-up.

One public information session will be held in March and April 2020 for any members of the public who have an interest in private roads matter. Staff will also seek for comments and feedback on the new by-law in writing, paper mails and e-mails to the Planning & Development Department.

WORK PLAN

If the Municipal Council is to accept the recommendation of the Committee in the meeting of February 25, 2020, staff intends to follow the schedule in Table 1.

Table 1 <i>Checklist for a Non-Planning By-law Adoption, Amendment and Repeal</i>			
Legislative Authority	Work Performed	Planned Date	Actual Date
MDL-02, Section 3.1	Policy & Strategy Committee presentation	February 18, 2020	February 18, 2020
<i>Municipal Government Act</i> , Subsection 168(1)	First reading of the Council	February 25, 2020	
Discretion of the Council	Public information session	March and April 2020	
<i>Municipal Government Act</i> , Subsections 168(2)-168(6)	Notice of the intention published on a newspaper at least 14 days before the Second Reading	April 29, 2020	
<i>Municipal Government Act</i> , Subsection 168(1)	Second Reading of the Council	May 12, 2020	
<i>Municipal Government Act</i> , Clause 169(2)(c)	Notice of adoption published on a newspaper	May 20, 2020	
<i>Municipal Government Act</i> , Subsection 169(3)	Notice of adoption from Municipal Clerk to the Minister of Municipal Affairs and Housing	May 20, 2020	

ATTACHMENTS

Appendix A: Proposed Private Roads By-law with Notes

Appendix B: Existing Private Roads By-law

Department: Planning & Development Services

Directory: 66400-40

Prepared by: Byung Jun Kang, Planner

Date: 2020.02.05

Approved by: Jeff Merrill, Director of Planning & Development

Date: 2020.02.10

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
A BY-LAW RESPECTING THE MAINTENANCE
AND IMPROVEMENT OF PRIVATE ROADS

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority vested in it by Sections 75 and 81 of the *Municipal Government Act*, that a By-Law Respecting the Maintenance and Improvement of Private Roads be adopted as follows:

Blue text does not form part of this By-law and exists for interpretational purposes only.

Short Title

1 This By-law may be cited as the *Private Roads By-law*.

Section 1.0 of the former By-law stated the short title as “the Private Streets Maintenance and Improvement By-law”, which is not concise.

Interpretation

2 In this By-law,

- (a) “Act” means the *Municipal Government Act*;
- (b) “applicant” means a landowner on a private road in the Municipality who requested Council to designate a Charge Area as per Subsection 8(1);
- (c) “association” means a non-profit society formed for the purpose of representing the landowners of within a Charge Area, incorporated under the *Societies Act* and registered with the provincial Registry of Joint Stock Companies;
- (d) “Council” means the Council of the Municipality of the District of Lunenburg;
- (e) “charge” means a charge imposed pursuant to Subsection 75(2) or Clause 81(1)(da) of the *Municipal Government Act* in an amount determined in this By-law and payable in respect of the private road maintenance or improvement;
- (f) “Charge Area” means an area to which a charge is imposed, physically defined in a petition or a request submitted pursuant to this By-law;

- (g) “improvement” means the work undertaken on a private road to improve upon the existing condition or to increase the service level of the private road;
- (h) “landowner” means
 - (i) an owner, part owner, joint owner, tenant in common or joint tenant, excluding the Municipality, of any interest in the whole or any part of parcel of land or a building in a Charge Area and having the right to use the private road;
 - (ii) in the absence or incapacity of a person having ownership of any interest in the parcel of land or building, a trustee, executor, guardian, agent, representative, mortgagee in possession, or any other person having the care or control of land or building in a Charge Area and having the right to use the private road; or
 - (iii) in the absence of proof to the contrary, the person assessed for the property tax on the parcel of land or building in a Charge Area and having the right to use the private road;

and for the purpose of calculating the percentage of landowners in Section 3, a parcel of real property with more than one landowner shall be counted as having one owner;

- (i) “maintenance” means the work undertaken on a private road to sustain the existing condition or service level of the private road, including but not limited to snowplowing, brush-cutting, pothole-filing, repaving;
- (j) “Municipality” means the Municipality of the District of Lunenburg; and
- (k) “private road” means an access or a right-of entry not owned by the Municipality or the Province of Nova Scotia, and includes roads, curbs, sidewalks, gutters, bridges, culverts and retaining walls that are associated with private roads.

Subsection 2.10 of the former By-law defined a Street as “any private street, private roadway, private highway or private traveled way, or portion thereof, situated in the Municipality.” The definition is clarified to include all private rights-of-way as private roads, whether they are subdivided as an independent parcel or written in a deed as an easement.

Prerequisite for a Charge Collection Agreement

- 3** Municipality may collect charges only where
- (a) more than one-half of the landowners in a Charge Area have filed a petition with the Development Officer, requesting that the charges be collected; or
 - (b) the Council has accepted the request of an applicant, if the petition requirements on Clause (a) cannot be met.

Clauses 3.1 a)-c) of the former By-law offered three accepted methods for petition: by two-thirds of landowners with two-thirds of road frontage; by two-thirds of landowners, in case of uniform lot charge; and by two-thirds of two-thirds with two-thirds of area of lots. This section is revised (1) to lower the petition quorum and to be consistent with the 50% threshold recommended by the *Municipal Government Act*, and (2) allow an alternative method of entering into a charge collection agreement with Municipality.

Methods of Charges

- 4** Charges determined pursuant to Clause 5(b), 8(2)(c) or Section 9 of this By-law may be chargeable
- (a) as the uniform amount for each lot in the Charge Area;
 - (b) as the uniform amount for different classes of development, including but not limited to vacant land, seasonal lot, and commercial parcel of land; or
 - (c) by the method approved by the Council.

Subsections 4.1 and 4.2 of the former By-law are changed to remove the methods of charges based on by frontage, area, assessment value and assessment classification. Subsections 4.3 and 4.4 of the former By-law are removed, as the method of charge by road frontage has never been chosen by residents.

Petition Requirements

- 5** A petition in Clause 3(a) shall be submitted by an association, and be submitted with
- (a) a copy of the memorandum and the by-laws of the incorporated association approved by the Registrar of Joint Stock Companies;

Subclauses 3.1 d) iii) of the former By-law is changed to clarify that, if 5 or more landowners are on a private road, those landowners must incorporate a non-profit society with the Province.

- (b) subject to Clause (c), an estimated operating budget for private road maintenance or an estimated capital budget for private road improvement, including the amount budgeted for general reserve, planned for the following fiscal year of submission;

Subclauses 3.1 d) i) of the former By-law is revised to clarify that the budgets may consider the collection of charge for general reserve. For a greater certainty, “or” includes “and”.

- (c) a letter of consent signed by more than one half of such landowners entitled to vote as are present in person or by proxy at a meeting of which notice specifying the intention to approve the operating and capital budgets has been duly given;

Subclause 3.1 d) ii) of the former By-law is revised that a Special Resolution passed by three-fourths of eligible voters are not required, but an agreement from more than one half of landowners which must own more than one half of road frontage must agree to the budget, to be consistent with Clause 81(3)(b) of the *Municipal Government Act*.

- (d) a plan defining the Charge Area boundary, the property boundaries in the Charge Area;

Subclauses 3.1 d) iv)-vi) of the former By-law are combined.

- (e) a completed copy of the petition form in Schedule A; and

Part of Subsection 3.2 of the former By-law is now part of this Section.

- (f) any other information that the Council may require to determine the method of calculation or the amount of charges necessary.

Subclauses 3.1 d) vii) of the former By-law is not changed.

Association By-laws [New Provision]

6 The memorandum and by-laws of association shall contain the clauses

- (a) that clearly states the purpose of the Association is to conduct maintenance and improvement to the private road and to represent the landowners within the Charge Area; and
- (b) that mandates the admittance of only those landowners of Charge Area to membership of the association.

A new section is added to ensure that only those properties in the private road maintenance charge area is eligible to be a member of the society.

Municipal Property

- 7** For a greater certainty, the Municipality and the Province of Nova Scotia are not considered in the definition of a landowner and shall be excluded from signing a petition conducted under Sections 3 to 6.

Subsection 3.3 of the former By-law is not changed.

Charge Area Establishment Request [New Provision]

- 8 (1)** Subject to Clause 3(b), a landowner may submit a request to Council that charges be collected in a Charge Area.

If a landowner cannot or is not eligible to follow the petition process, an alternative process may be taken to enter into a contract with the Municipality. The landowner may request the local councillor to consider the establishment of a new charge area, and the Council may decide based on the number of considerations on Subsection (4).

- (2)** The request in Subsection (1) shall be submitted with
- (a) an estimated operating budget for private road maintenance, including the amount budgeted for general reserve, planned for the following fiscal year of submission;
- Road improvement is not permitted without the general consensus of the landowners living on a private road.
- (b) a plan defining the Charge Area boundary, the property boundaries in the Charge Area and the length and width of the private road;
 - (c) a statement that the charges are collected to perform maintenance only on the private road within the Charge Area;
 - (d) the chosen method of charges;
 - (e) the name of the Charge Area; and
 - (f) any other information that the Council may require to determine the method of calculation or the amount of charges necessary.

- (3)** At least 45 days prior to the Council meeting to determine the establishment of a Charge Area by request of an applicant, Municipality shall notify all the landowners within the proposed Charge Area determined in Clause 8(2)(b) by ordinary mail, and such notice includes

- (a) a description of the proposed request;

- (b) the date, time, and place of the Council meeting on the proposed request; and
- (c) a method of submitting a written response prior to the Council meeting regarding the proposed request.

At least 15 days are required for an international mail to reach its destination worldwide, another 15 days for a response period and 15 more days for drafting a response to the Municipality.

- (4) Subject to Subsection (3), upon the receipt of the request from the applicant, Council may designate a Charge Area and levy a charge after considering the following clauses:

- (a) the applicant exercised due diligence in communicating with the other landowners in the Charge Area to initiate a petition process, but was unsuccessful;

Not attempting to communicate with other landowners within a Charge Area before coming to Council is not a reasonable excuse to follow the alternative process.

- (b) the number of landowners in the Charge Area did not meet the minimum incorporation requirement of the *Societies Act*;

Having less than 5 adults living on a private road is a reasonable excuse to follow the alternative process.

- (c) the operating budget that is submitted with the request is itemized and reasonable for the length and condition of private roads in the Charge Area;

Overcharging a road maintenance fee is subject to a cancellation of contract negotiation, unless it is for the creation of general reserve.

- (d) the general consensus of the landowners in the Charge Area is not an active opposition to the levy of uniform charge;

It is deemed as active opposition if a written response from another landowner in the Charge Area is received by the Municipality, stating their disagreement in establishing a Charge Area.

- (e) the financial burden of road maintenance is distributed unevenly amongst the landowners within the Charge Area; and

If a small group of landowners (less than 50% of all landowners) are bearing the maintenance cost for the rest of road users in the Charge Area, it is deemed reasonable to establish a Charge Area.

- (f) the non-performance of road maintenance is likely to cause public safety issues, such as limiting the accessibility to public roads, infrastructure, utilities, services or other critical amenities.

If a private road is not accessible to the point where emergency services are not deliverable, then Council may establish a Charge Area to collect maintenance fees for the public safety. Accessibility may be determined by inspections from municipal staff or fire departments.

Charge Collection Agreement

- 9** Upon the acceptance of petition in Section 5 or request in Section 8 by resolution of the Council, the Municipality may enter into an agreement with an association or an applicant, which

The request must be accepted by resolution of Council.

- (a) requires that the association or the applicant shall be responsible for performing, or contracting the work in relation to the maintenance or improvement of the private road in a Charge Area;
- (b) indemnifies the Municipality from all liability or responsibility with the work in relation to the maintenance or improvement of the private road in a Charge Area;
- (c) identifies that the petition submitted as per Section 5 or the request submitted as per Subsection 8(2) forms the basis of the method of the charge; and
- (d) contains any other clauses that the Council may require.

Subsection 3.2 of the former By-law is not changed.

Annual Budgets

- 10 (1)** After the Municipality enters into an agreement with an association or an applicant in accordance with Section 9, the association or the applicant shall submit an operating budget or a capital budget for each fiscal year to conduct private road maintenance and improvement, respectively.

- (2)** Subject to Subsection (3), budgets shall be approved with an ordinary resolution passed by more than one half of such landowners entitled to

vote as are present in person or by proxy at a meeting of which notice specifying the intention to propose the resolution has been duly given.

- (3) An operating budget submitted by an applicant shall be approved by resolution of Council.
- (4) Notwithstanding Subsection (1), a capital budget shall not be submitted by an applicant.

Part of Sections 7 and 8 of the former By-law are changed to lower the threshold for approval of the budgets from three-fourths to more than one-half of landowners at a meeting after reaching its quorum. Charge Areas established from requests must have their annual maintenance budgets approved by the Council.

Fiscal Year

- 11 A petition, request and subsequent annual budgets of a Charge Area shall be submitted by the first day of March, or its next business day if it is a holiday, of the preceding fiscal year that the charge would be applied.

Part of Subsection 3.2 and Sections 7 and 8 of the former By-law are not changed.

Administration Fee

- 12 The total amount of the charge imposed in a Charge Area shall not exceed the total expenditures in annual budgets plus the administration fee stated in Subsection 4.1 of Policy MDL-58.

Section 5 of the former By-law is changed to make a reference to the Fees Policy.

Charge Exemptions

- 13 (1) Notwithstanding this By-law and subject to Subsection (2), the Municipality may, upon request, exempt a charge from any landowners within a Charge Area whose property
 - (a) abuts and has access to a public road;
 - (b) does not use the private road; or
 - (c) does not have access to the private road.
- (2) Municipality may later assess those exempted landowners if they appear to be using the private road.

Subsection 6.1 of the former By-law is not changed.

- (3) For greater certainty, the Municipality and the Province of Nova Scotia are exempt from a charge levied pursuant to this By-law.

Subsection 6.2 of the former By-law is changed to include the Provincial properties to be exempted from private road charge, as required by the *Municipal Government Act*.

Liens

14 A charge made under this By-law is a first lien on the real property and may be collected in the same manner as other taxes.

Subsection 9.1 of the former By-law is changed to reflect the current process.

Effectiveness of Liens

- 15 (1)** For road maintenance, a lien in Section 14 becomes effective three days after the notice to landowners in Subsection 17(1) is distributed, and shall remain effective from year to year until terminated pursuant to this By-law.
- (2)** For road improvement, a lien in Section 14 becomes effective three days after the notice to landowners in Subsection 17(1) is distributed.
- (3)** The lien in Subsections (1) and (2) shall remain to be effective until the charge plus interest has been paid in full.

Subsections 9.2 and 9.3 of the former By-law are updated to reflect the current process.

Charge Adjustment

16 Where a lot subject to a lien is subdivided, the amount of the lien plus interest then unpaid shall be apportioned evenly among the new lots created, including any residual land.

Subsection 9.4 of the former By-law is changed so upon subdivision, any lien plus interest is evenly distributed to the new lots, rather than apportioned based on the new property market values, which is difficult to calculate.

Charge Collection Notice

- 17 (1)** Subject to Subsection (2), upon signing the collection agreement in Section 9, the Development Officer shall notify the landowner of each property within the Charge Area of
- (a) the charge payable by the landowner; and
 - (b) the basis for the charge.
- (2)** Where the charge is collected for maintenance that occurs annually, the notice only needs to be sent to each landowner upon filing of the certificate, instead of being sent annually.

Section 10 of the former By-law is changed so the Development Officer manages it.

Billing of Charge

18 (1) A charge payable pursuant to this By-law for private road maintenance or improvement shall be billed by the same day as the last mailing day of interim tax bill of the Municipality.

(2) The charge payable in Subsection (1) shall appear on the tax bill.

Part of Subsection 11.1 of the former By-law now makes a reference to the tax billing of the Municipality, but the billing date of charge still remains as April 30.

Charge Due Date

19 The charge payable in Section 18 is due on the same day as the payment due date of interim tax bill of the Municipality on the same fiscal year.

Part of Subsection 11.1 of the former By-law now makes a reference to the tax payment deadline of the Municipality, but the payment due date still remains as May 31.

Interest on Unpaid Charge

20 Interest is payable annually on the entire amount outstanding from and unpaid after the due date in Section 19 at a rate determined by resolution of Council regarding taxes and overdue charges.

Subsection 11.2 of the former By-law is changed to add the word “annually” to be consistent with the *Municipal Government Act*.

Charge Payout

21 Municipality shall transfer the amount requested by an association, which is stated in its annual budgets and excludes the administration fee in Subsection 4.1 of Policy MDL-58 to the association by 15 days after the due date in Section 19, or its next working day if it is a holiday.

Subsection 11.3 of the former By-law now makes a reference to the new Section 18, but the charge payout day still remains as June 15.

Termination of Agreement

22 (1) The charge collection agreement in Section 9 may be terminated by resolution of Council, after receiving a notice from

- (a)** an association, upon the submission of a certified copy of a Special Resolution passed to terminate the agreement;
- (b)** an applicant, upon the submission of a letter of consent signed by the applicant to terminate the agreement; or

- (c) the Municipality at its discretion, if
 - (i) an association or an applicant has non-compliance with any provision of this By-law, or
 - (ii) a Charge Area established by request no longer meets the condition in Subsection 8(4), in which then the landowners in the Charge Area shall follow the petition process in Clause 3(a) for re-establishment of Charge Area.

If a Charge Area no longer meets the condition for its establishment by request (for example, more than 4 residents are in the Charge Area), then it shall follow the petition process instead. The process must be followed in full as the charge area is established under different provisions of the *Municipal Government Act*. However, the actual process may be shortened as the Municipality has necessary information for the reestablishment. Municipality may sustain the contract until the Charge Area landowners fully go through the petition process for a smooth transition.

- (2) Termination in Subsection (1) becomes effective upon the collection of all charges payable pursuant to this By-law.

Section 12 of the former By-law is not changed, but it is reworded for conciseness.

Private Streets By-law Repealed [New Provision]

- 23** A By-law Respecting the Maintenance and Improvement of Private Street, adopted by the Council on April 12, 2005, and amended on February 14, 2006, October 9, 2007 and February 17, 2009, is hereby repealed and replaced with a By-Law Respecting the Maintenance and Improvement of Private Roads.

A new section is added so this new By-law replaces the former Private Streets By-law.

Fees Policy Amended [New Provision]

- 24** Section 5.0 of Municipal Policy MDL-58 regarding fees, adopted by the Council on January 11, 2011, and amended on May 10, 2011 and February 12, 2019, is further amended by
 - (a) striking out the period at the end of Section 5.0 and substituting with a comma; and
 - (b) adding immediately after the comma on Clause (a) the following:

with the exception of the Private Road Maintenance & Improvement Charge.

A new section is added to close the loophole in the municipal Fees Policy, unintentionally exempting all private road associations from the 5% administrative fee.

SCHEDULE A

PRIVATE ROAD MAINTENANCE AND IMPROVEMENT PETITION

To the Council of the Municipality of the District of Lunenburg,

We, the undersigned, representing more than one-half of the landowners in the Charge Area, as identified on the attached map, do file a petition with the Development Officer to the Council requesting that the charges be collected on the private roads located within the same Charge Area to perform

- (a) Maintenance _____
- (b) Improvements _____
- (c) Maintenance and Improvements _____

(choose one of the options by placing an "X" beside the chosen option)

Each of the landowners, whose signature appears below, propose that the Council accept this as a petition in compliance with Sections 3 to 6 of the Private Roads By-law.

The landowners, whose signature appears below, request that they be levied a charge in respect of the private road maintenance or improvement, as indicated above, and further that, this charge be levied by

- (a) the uniform charge on all lot _____
- (b) the occupancy rate (i.e. full-time, seasonal, vacant) _____
- (c) the land use (i.e. residential, commercial, resource) _____
- (d) the ownership (i.e. exemption for owning more than 1 lot) _____
- (e) the method other than (a), (b), (c) or (d), being: _____

(choose all options that apply by placing an "X" beside the chosen options)

The name of the Association representing the landowners is:

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

**A BY-LAW RESPECTING THE MAINTENANCE AND IMPROVEMENT
OF PRIVATE STREETS**

Amended February 14, 2006

Amended October 9, 2007

Amended February 17, 2009

Be it enacted by the Council of the Municipality of the District of Lunenburg as follows:

- 1.0 Short Title
This Bylaw shall be known as A By-law Respecting the Maintenance and Improvement of Private Streets and shall be cited as “The Private Streets Maintenance and Improvement By-law”
2. Interpretation
 - 2.1 “Act” means the Municipal Government Act, S.N.S, Chapter 18 of the Acts of 1998. **[Amended February 17, 2009]**
 - 2.2 “Association” means a body corporate incorporated and in good standing under the Societies Act, which represents the owners within a Charge Area.
 - 2.3 “Council” means the Council of the Municipality of the District of Lunenburg.
 - 2.4 “Charge” means a charge imposed pursuant to Section 81 of the Municipal Government Act in an amount to be determined pursuant to this By-law and payable in respect of the street improvement or maintenance.
 - 2.5 “Charge Area” means an area to which a Charge is imposed and as more fully described in a petition for street improvements and / or maintenance submitted pursuant to this By-law.
 - 2.6 “Improvement” means the work undertaken on a road to increase or improve upon the existing condition or level of service of a road.
 - 2.7 “Maintenance” means the work required to maintain a roads existing condition or level of service and for greater certainty includes snow and / or ice removal.
 - 2.8 “Municipality” means the Municipality of the District of Lunenburg
 - 2.9 “Owner” means:
 - (a) an owner, part owner, joint owner, tenant in common or joint tenant, excluding the Municipality of the District of Lunenburg, of any interest in the whole or any part or parcel of land or a building in a Charge Area and having the right to use the street; **[Amended October 9, 2007]**

- (b) in the case of the absence or incapacity of a person or persons having ownership of any interest in the parcel of land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of land or building in a Charge Area and having the right to use the street; or
- (c) in the absence of proof to the contrary, the person assessed for the taxes on the parcel of land or building in a Charge Area and having the right to use the street ; and
- (d) for the purpose of calculating the percentage of owners in Section 3, a parcel of real property with more than one owner shall be counted as having one owner.

2.10 "Street" means any private street, private roadway, private highway or private traveled way, or portion thereof, situate in the Municipality.

3. Charge Imposed

3.1 The Municipality may levy a charge for improvements and /or maintenance of a street upon the owners of real property within a Charge Area, in an amount necessary to provide for such improvement and / or maintenance:

- a) where the requested method of levying the charge is on a lot frontage basis, upon at least sixty-six and two thirds percent (66.66%) of the owners of real property in the Charge Area owning land which also comprises at least sixty-six and two thirds percent (66.66%) of the frontage of real property within a Charge Area; or
- b) where the requested method of levying the charge is on a uniform lot charge basis, upon at least sixty-six and two thirds percent (66.66%) of the owners of real property in the Charge Area; or
- c) where the requested method of levying the charge is on a lot area basis, a lot assessment basis, an assessment classification basis, or such other method not referred to in clause (a) and (b), upon at least sixty-six and two thirds percent (66.66%) of the owners of real property in the Charge Area owning land which also comprises at least sixty seven percent of the area of real property within a Charge Area;

petitioning in person or by agent the Municipality for an improvement and/or maintenance of a street within a Charge Area, for a purpose provided for under Section 81 of the Municipal Government Act; and

- d) the petition referred to in clause (a), (b) or (c) herein has been submitted by an Association responsible for having the improvement and /or maintenance carried out ;representing the Charge Area:

- i) an estimated yearly maintenance and/or improvement budget for that year's street maintenance which was passed by a Special Resolution of the Association,
 - ii) a copy of the Special Resolution required in subclause (i) **[Amended February 17, 2009]**
 - iii) a copy of the Associations Memorandum of Understanding and By-laws which clearly states that the object or purpose of the Association is to carry out maintenance and /or improvements to the street and that the Association has been formed to represent the owners within the Charge Area;
 - iv) where the requested method of levying the Charge is on a lot frontage basis a Plan showing the Charge Area out lined in red, the lots affected, a survey of the streets and the frontage of the lots in the Charge Area on the street,
 - v) where the requested method of levying the Charge is on a lot area basis a Plan showing the Charge Area outlined in red, the lots affected, the area of the lots, the length and width of the streets,
 - vi) where the requested method of levying the Charge is on a lot assessment or a per lot basis, a Plan Showing the Charge Area outlined in red, the lots affected, and the width and length of the street, and
 - vii) notwithstanding subclauses (iv), (v) or (vi), Council may require additional information as it deems necessary to determine the method of calculation or the amount of a Charge necessary; and **[Amended February 17, 2009]**
- e) The Association has entered into an Agreement with the Municipality which:
- i) requires that the Association shall be responsible for performing, or contracting, the work associated with the improvement or maintenance of the street or streets in a Charge Area;
 - ii) indemnifies and saves harmless the Municipality from any and all liability or responsibility with respects to the work associated with the improvement or maintenance of the street or streets in a Charge Area;
 - iii) identifies that the petition forms the basis of the method of the Charge; and
 - iv) contains any other clauses as deemed necessary by Municipal Council.

3.2 The petition referred to in clause 3.1(a) shall be in form as prescribed in

Schedule A of this By-law and be submitted no later than the first working day of March in the fiscal year prior to the fiscal year in which the charges are sought.

[Amended February 17, 2009]

- 3.3 The Municipality of the District of Lunenburg not being included in the definition of owner as set out in section 2.9 of this By-law shall be excluded from signing any petition as described in sections 3.1 and 3.2 of this By-law.

[Amended Oct. 9, 2007]

4. Methods of Charge

- 4.1 A Charge levied pursuant to Section 3, shall be determined in accordance with the provisions of this By-law and may be calculated based on:

- a) the frontage of each lot on any street, being the ratio that the foot frontage of each lot bears to the total frontage of the street or portion thereof to be improved and / or maintained;
- b) the assessment of each lot, being an area rate of an amount per \$100.00 of assessed value of the property within the Charge Area;
- c) the assessment classification of each lot, being a charge apportioned to a lot based upon the assessed use of the property as shown on the Assessment Records of the Province of Nova Scotia;
- d) an uniform amount for each lot, being an equal amount apportioned to each lot within the Charge Area;
- e) the area of each lot, being the ratio that the area of each lot bears to the total area of the lots within the Charge Area
- f) any combination of two or more such methods of calculating the Charge;
or
- g) such other method as Council deems appropriate

4.2 Variations in Charges

The Charge levied pursuant to this By-law may be fixed at different rates for different assessment classes or uses of properties and may be fixed at different rates for different "Charge Areas"

4.3 Frontage Charge

Where the amount of the Charge contains a component, calculated, in whole or in part, based upon the frontage of the lot on a street, the component of the Charge which is based upon frontage shall be calculated as follows:

- a) for the purpose of calculating frontage, the number of lineal feet of frontage shall be a horizontal projection measured along the boundary line adjacent to the street;

- b) where a lot is situated such that the lot has frontage on two or more streets within a Charge Area, the component of the Charge based upon frontage shall be calculated based upon the average lot frontage, calculated as the total frontage divided by the number of streets the lot has frontage on; and
- c) notwithstanding clause 4.3(a) and 4.3(b), where a lot has frontage on a street the minimum deemed frontage shall be 75 feet.

4.4 Dispute of Measurement

In the event of a dispute between a property owner and the Municipality as to any measurement or area of real property, the owner shall retain, at his or her sole expense, a Licensed Nova Scotia Land Surveyor, who shall certify to the measurements or area of real property and submit the same to the Clerk.

5. Administration Charge

The total amount of the Charge levied by the Municipality shall not exceed the cost of the street improvements and / or maintenance and an administration charge of five percent (5%) of the cost.

For Greater Clarity:

(Total Cost of Improvement and / or maintenance) x 5% = (total amount of Administration Charge) **[Amended February 17, 2009]**

6. Exemptions from Charge

6.1 Notwithstanding the provisions of this By-law, the Municipality may, upon request, exempt from a charge any owners within a Charge Area whose property abuts and has access to a public highway or does not use or have access to the street upon which the maintenance and/or improvement is being sought but subject to the provisions that the Municipality may later assess those exempted owners if it appears to it that they are then using the improved streets.

6.2 The Municipality of the District of Lunenburg shall be exempt from payment of all charges and levies made pursuant to the By-law. **[Amended October 9, 2007]**

7. Annual Maintenance Charge

Where Municipal Council has accepted a petition for street maintenance, the Association shall submit on an annual basis a budget for the estimated road maintenance cost for the fiscal year. This Budget shall be passed by a Special Resolution of the Association responsible for ensuring the maintenance is carried out and the Budget and Special Resolution shall be received by the Municipality no later than the first working day of March in each calendar year. The effective date of this provision is March 16th, 2009. **[Amended February 17, 2009]**

8. Annual Improvement Charge

Charges for improvements to a private road shall be requested on an annual basis in accordance with the requirements Section 3.1

9. Lien

9.1 A Charge imposed pursuant to this By-law constitutes a first lien upon the real property with respects to which the Charge has been made and the Charge may be calculated in the same manner as taxes and shall be made payable in the same manner as taxes. **[Amended February 14, 2006]**

9.2 The lien provided for in this By-law shall become effective:

- a) with regard to a street improvement, on the date on which the Clerk of the Municipality signs and files at the Municipal Office, a Certificate stating the total costs of the street improvement and the amount of the Charge to be levied on each owner.
- b) with regard to street maintenance, on the date which the Clerk of the Municipality signs and files at the Municipal Office, a Certificate with a statement that the affected area is subject to an annual Charge for street maintenance in an amount set annually by Municipal Council as provided for in this By-law and shall remain effective from year to year until terminated pursuant to this By-law.

9.3 The lien provided for in this By-law shall remain in effect until the Charge plus interest has been paid in full.

9.4 Where a property subject to a lien is subdivided:

- a) in which the Charge imposed was calculated based upon frontage or lot area, the amount of the lien plus interest then unpaid shall be apportioned among the new lots created and including any residual land, such that the amount of the lien apportioned to the lots created an any residual land is based upon the percentage of the original lot frontage or lot area that the new lots and residual land are comprised of;
- b) in which the Charge imposed was calculated based upon a lot charge, or assessment classification of the lot, or any other method other than as referenced in clause (a), the amount of the lien plus interest then unpaid shall be apportioned among the new lots created including any residual land in proportion that the value of each new lot including any residual land bears to the total market value of the lands subdivided including any residual land or upon the assessment classification of each new lot and any residual land as the case may be at the time of subdivision approval

The market value and or assessment classification of lots so created must be confirmed by a provincial assessor. Written confirmation of the market value shall be submitted to the Treasurer.

10. Notice of Charge

Upon filing the Certificate pursuant to clause 9.2(a) and clause 9.2(b), the Clerk shall notify the owner of each property within the Charge Area of the charge payable by the owner and the basis for the Charge. **[Amended February 17, 2009]**

Where the Charge is being collected for street maintenance that occurs on an annual basis the notice needs only to be sent to each owner upon filing of the Certificate and not annually.

11. Payment of Charges

11.1 A Charge payable pursuant to this By-law for street maintenance and/or improvements shall be billed on the last working day of April and due on the last working day of May of each year in which the charges are to be levied. **[Amended February 14, 2006 and February 17, 2009]**

11.2 The charge imposed by this By-law will appear on the tax bill and shall bear interest on any outstanding balance from and after the due date. The interest rate shall be as prescribed by motion of Council with respect to taxes and overdue charges and shall be applied as per this same motion. **[Amended February 14, 2006 and February 17, 2009]**

11.3 By June 15th in each year in which the charges are to be levied, the Municipality shall transfer to the Association the amount requested to be levied by the Association for road maintenance and/or improvements, less the administration fee. **[Amended February 14, 2006]**

12. Termination of Charge

The Charge imposed pursuant to this By-law for a street improvement and / or maintenance may be terminated at any time by the Association filing with the Municipality a certified copy of a Special Resolution of the Association passed at a duly constituted meeting, called for that purpose, requesting the Municipality to terminate the charge or by the Municipality at its own discretion, if there has been non-compliance by the Association with the provisions of this By-law. In either case, upon the Clerk filing with the Municipality a Certificate stating that all monies payable pursuant to this Charge have been collected, this By-law shall thenceforth have no further force or effect within the Charge Area.

SCHEDULE A
(A By-law Respecting the Maintenance and Improvement of Private Streets)

PETITION FOR STREET IMPROVEMENT AND MAINTENANCE

To the Municipality Council of the Municipality of the District of Lunenburg.

The Undersigned, being at least 66.66 percent of the owners of real property in the Charge Area, as shown on the attached Map, and owning land which also comprises at least 67 percent of the real property within this same Charge Area do petition Municipal Council to accept this petition for *(choose one only by placing an 'X' beside the option chosen)*

- a) Improvements _____
- b) Maintenance _____
- c) Improvements and Maintenance _____

on the streets located within the Charge Area, as identified on the attached map.

Also, each of the owners, whose signature appears below, respectively propose that the Municipal Council accept this as a petition in compliance with section 3 of the Private Streets Maintenance and Improvement By-law.

Each of the owners, whose signature appears below, request that they be levied a charge in respect of the street improvement, street maintenance or both ,as indicated above, and further that this charge be levied on *(choose only one by placing an 'X' beside the option chosen)*:

- a) the frontage of each lot on the street
- b) the assessment of each lot
- c) the assessment classification of each lot
- d) a uniform amount for each lot
- e) the area of the lot
- f) a combination of two or more such methods noted above, being _____ (note the methods)

The name of the Association representing the owners is:

NAME AND SIGNATURES OF PROPERTY OWNERS

Name (please print)	Signature	Civic Address (please print)

Municipal Clerks Annotation for Official By-law Book

Date of First Reading: **January 13, 2009**
Date of Advertisement – Notice of Intention: **January 20th and 23rd, 2009**
Date of Second Reading: **February 10, 2009**
Date of Advertisement of Passage of By-law*: **February 17th and 20th, 2009**

I certify that this By-law amending a “**BY-LAW RESPECTING *the Maintenance and Improvement of Private Streets***” was adopted by Council and published as indicated above.

Municipal Clerk

Date

*** Effective Date of the By-law unless otherwise specified in the By-law**



District of Lunenburg Policy & Strategy Committee

Item Number 10.2.1:
Private Roads By-law

February 18, 2020



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 - Section 24 (Fees Policy Amendment)
- Recommendations



A typical private cottage road (Aulenback Point Road, Sweetland, NS)



Municipality of the District of Lunenburg
Planning and Development Services

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Background

Legislative Authority

- MGA s. 75: Area Rates and Uniform Charges
- MGA s. 81(1)(da)(ii): Payment of Charges

Direction from the PSC

Move forward with

- the creation of an alternative process;
- the lowering of thresholds for the petition and the budget approval processes down to “more than 50%”; and
- the simplification of the existing by-law to reflect the current situation of private roads.



Beach Hill Road, Kingsburg, NS



Municipality of the District of Lunenburg
Planning and Development Services

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Timeline & Communications

Public Information Session	September 2019
Direction by Council	January 21, 2020
MODL Staff Review	February 1, 2020
Policy & Strategy Committee	February 18, 2020 – We are here
Council First Reading	February 25, 2020
Public Engagement	March & April 2020
Council Second Reading	May 12, 2020
Notice of Adoption	May 20, 2020

Public Engagement includes (1) in-person information session, (2) new engagement website, (3) stakeholder communication, and (4) e-mail follow-up.



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Section 3 (Pre-requisite)

Existing Regulations

Charges may be collected when **more than 66.6%** of landowners file a petition.

Revised Regulations

Charges may be collected when

1. **more than 50.0%** of landowners file a petition, or
2. an applicant **requests** the formation of a Charge Area, which is deemed **reasonable** by Council.



Kitpu Lane & Pulowech Road, Camperdown, NS



Municipality of the District of Lunenburg
Planning and Development Services

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Section 8 (Collection by Request)

New Regulations

Charges may be collected without a petition if the Council deems it reasonable under the following considerations:

1. the applicant exercised **due diligence in communicating** with the other landowners in the Charge Area to initiate a petition process, but was unsuccessful;
2. the **number of landowners** in the Charge Area did not meet the minimum incorporation requirement of the *Societies Act*;
3. the operating budget that is submitted with the request is **itemized and reasonable** for the length and condition of private roads in the Charge Area;



Oakridge Lane, East Clifford, NS



Municipality of the District of Lunenburg
Planning and Development Services

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Section 8 (Collection by Request)

New Regulations

4. the general consensus of the landowners in the Charge Area is **not an active opposition** to the levy of uniform charge;
5. the **financial burden** of road maintenance is distributed unevenly amongst the landowners within the Charge Area; and
6. the non-performance of road maintenance is likely to cause **public safety issues**, such as limiting the accessibility to public roads, infrastructure, utilities, services or other critical amenities.



Oakridge Lane, East Clifford, NS



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Section 10 (Annual Budgets)

New Regulations

1. An operating budget submitted by an applicant shall be approved by resolution of Council.
2. a capital budget shall not be submitted by an applicant.



Red Hill Road, New Elm, NS



Municipality of the District of Lunenburg
Planning and Development Services

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Section 15 (Liens)

Existing Regulations

A lien becomes effective on the date on which the Municipal Clerk signs and files a certificate stating the cost of road maintenance or improvement.

Revised Regulations

A lien becomes effective **3 days after the notice** to landowners is distributed.

(Certificates are no longer required).



Three Pastures Road, Second Peninsula, NS



Municipality of the District of Lunenburg
Planning and Development Services

9

Section 17 (Charge Collection Notice)

Existing Regulations

Upon filing the certificate, the Municipal Clerk shall notify the owner of each property within the Charge Area.

Revised Regulations

Upon signing the collection agreement, the **Development Officer shall notify** the landowner of each property within the Charge Area.



Turner Point Drive, Walden, NS



Municipality of the District of Lunenburg
Planning and Development Services

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Section 22 (Termination)

New Regulation

If a Charge Area established by request no longer meets the Council's consideration at the formation, the Municipality may terminate the agreement once the Charge Area follows the petition process.



Victoria Acres Drive, West Northfield, NS



Municipality of the District of Lunenburg
Planning and Development Services

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Section 24 (Fees Policy Amendment)

Existing Regulations

Planning fees are exempted for a non-profit society registered with the Province.

Revised Regulations

Planning fees are exempted for a non-profit society registered with the Province, **with the exception of the Private Road Maintenance & Improvement Charge.**



Anderson Lane, West Northfield, NS



Municipality of the District of Lunenburg
Planning and Development Services

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Information Materials



Online directories
for road maintenance services
offered by contractors



Legal FAQ



Recommended standards
for private roads



A model society by-law



Municipality of the District of Lunenburg
Planning and Development Services

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Final Staff Recommendations

That the Policy and Strategy Committee recommend Municipal Council to give notice of its intention to repeal the Private Streets Maintenance and Improvement By-law and replace it with the Private Roads By-law and conduct First Reading of the same;

and further, that Municipal Council direct staff to develop supplementary materials regarding road maintenance for the residents living on a private road.



Municipality of the District of Lunenburg
Planning and Development Services

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Thank You

Byung Jun Kang
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(902) 530-3480

Municipality of District of Lunenburg
210 Aberdeen Road
Bridgewater, NS
B4V 4G8





Memorandum

To: Policy & Strategy Committee
From: Ad Hoc Staff Safety Committee
(Stephen Pace, Amy Wamboldt & Alex Dumaresq)
Re: Repeal and Replacement of Council's Safety Policy
Date: February 18, 2020

Recommendation:

Move that the Committee recommend to Council that Municipal Council repeal MDL-52 Municipal Safety Program Policy and Safe Work Practices and replace it with the proposed new Occupational Health and Safety Policy, as presented, and hereby gives 7 days' notice of its intention to repeal Policy MDL-52 and adopt a new Policy MDL-52.

Background

On July 10, 2019, Council awarded RFP 2019-01-400 Safety Program Services to Safety Services Nova Scotia (SSNS) for an update of the municipality's Safety Program. MODL's current Safety Program has become out of date and requires redevelopment to meet provincial regulations and the expectations of management for promoting a safe workplace where employees are engaged in a safety culture. SSNS developed a project plan involving research and engagement, Program structure development, hazard assessments, safe work practice development, and implementation.

Analysis

Working with a staff steering committee, SSNS has completed a review of the existing Safety Program, including interviews with the OHS committee and operational staff, and developed a proposed structure for the updated Program. The changes focus on a small number of strategic and philosophical changes:

1. Rightsizing the Program: the focus of the Program is to provide a safe workplace, and to that end, the project goal is to develop a Program that meets all regulatory requirements, but also provide the best municipal Safety Program in the Province. To

achieve this the Program must focus on practical risks present in MODL facilities and work sites, creating appropriate protections as necessary, while avoiding unnecessary reporting and procedures.

2. Clarity of Roles: During the review of the existing Program it became clear that the distinction between the role of the Joint Occupational Health and Safety (JOHS) Committee versus that of Council, the CAO or the Strategic Management Team were not well understood. The proposed changes to the structure of the Program make clear that several changes are proposed to clarify roles and responsibilities.

The guiding philosophy of the Safety Program is that Management, under the CAO, is responsible for the implementation of the Safety Program. There are clear responsibilities delegated to a “CAO safety designate” and to Directors to ensure the continued operation of an effective Safety Program. The JOHS Committee’s role is one of an observer and advisory, identifying areas that are functioning as intended and highlighting areas where improvement is required.

Council role as a governing body is to establish the importance of the Program and adopt an overarching safety policy. As opposed to dictating specific safety processes and procedures, the proposed safety policy establishes the philosophy of the Safety Program and empowers the CAO to implement the operational details. The essence of the policy states that the municipality will take every reasonable precaution to protect and promote the health and safety of employees and the general public; and promote a culture where employees are supported and encouraged to contribute to health and Safety Programs and initiatives.

Flowing from the new Council policy are a set of safety processes. These documents are approved by the CAO with advice from the CAO safety designate and the JOHS Committee and create the structure of the Safety Program. The documents outline what must be completed in order to have a functioning and effective Safety Program. The processes to be included in the Program are as follows:

- Joint Occupational Health and Safety Committee
- Occupational Health and Safety Training
- Hazard Identification and Risk Assessment
- Inspections
- Incident Reporting and Investigation
- Right to Refuse
- Chemical Handling
- Contractor Safety

- Emergency Management
- Violence in the Workplace
- Document Creation and Review

Within the structure provided by these processes, more detailed procedures are established by directors outlining, for example: how inspections are completed, safe work practices, or safety training requirements for individual positions.

Budget implications

Funds equalling \$50,000 have been budgeted for the completion of the project between the 2019/20 and 2020/21 fiscal years. It is anticipated that the project will remain within this budget.

Strategic plan

Council's overarching strategic plan identifies the importance of a forward-looking administration. In addition to the legal requirements established by the Province for employers, an effective Safety Program is of utmost importance to a healthy workplace, and to employees and their families.

Work Program implications

An ad-hoc staff committee consisting of Alex Dumaresq, Stephen Pace, and Amy Wamboldt has been formed to oversee the performance of the Safety Services consultant. The Joint Occupational Health and Safety Committee has also had input in the project. This team approach will help to minimize work impact on individual staff members and keep the other municipal priorities in staff workplans on track.

Conclusion

The proposed replacement of Council's safety policy adds clarity to the roles and responsibilities of Council, the CAO, the JOHS Committee and individual employees. The new Program provides the appropriate level of accountability and control to the strategic management team and provides an important internal review function to the JOHS Committee.

Municipality of the District of Lunenburg POLICY

Title: OCCUPATIONAL HEALTH AND SAFETY POLICY

Policy No.: MDL-52

Effective Date:

1.0 Statement

The Municipality of the District of Lunenburg values the health and safety of employees. It will take every reasonable precaution to protect and promote the health and safety of employees and the general public as they may come in contact with the Municipality's sites.

2.0 Purpose

The Municipality of the District of Lunenburg recognizes and values the knowledge and skills of employees with regard to health and safety and will promote a culture where employees are supported and encouraged to contribute to health and safety programs and initiatives. The Municipality commits to cooperating with and working in partnership with its employees and the Joint Occupational Health and Safety Committee through the internal responsibility system, to implement measures to minimize and, to the extent possible, eliminate the risk of injury and illness amongst our employees.

3.0 Responsibilities

- 3.1 Council is responsible to adopt an Occupational Health and Safety Policy and instruct staff to adhere to its principles.
- 3.2 The Chief Administrative Officer is responsible to ensure the Municipality is protected by an effective, legally compliant Occupational Health and Safety Program that has been developed in consultation with the Joint Occupational Health and Safety Committee.
- 3.3 All Municipal Directors and Managers will implement all relevant parts of the Occupational Health and Safety Program and will ensure that all Municipal sites are safe and healthful, that employees are advised of actual or potential hazards.

- 3.4 Municipal employees will cooperate with management in implementing the Occupational Health and Safety Program and will follow all occupational health and safety processes and procedures. The Joint Occupational Health and Safety Committee will monitor the implementation of the Occupational Health and Safety Program and advise the management of any ways the Program may be improved.

Clerk's Annotation for Official Policy Book

Date of Notice to Council Members
to Repeal and Replace

Date of Passage of Current Policy:

Date of Notice to Council Members
of Intent to Consider Amendments:

Date of Passage of Amendments:

I certify that the Policy MDL-52 approved on October 13, 2009 was repealed and replaced with this new Policy MDL-52 by Council as indicated above.

Municipal Clerk

Date

**Municipality of the District of Lunenburg
POLICY**

Title: Municipal Safety Program Policy and Safe Work Practices	
Policy No. MDL-52	
Effective Date: October 13, 2009	Amended Date: October 23, 2012

Municipality of the District of Lunenburg General Safety Policy

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A. Safety Policy - General *(reference Sections 2 & 13 of the OH&S Act)*

Policy Statement

The Municipality, as an employer, values the health and safety of employees. It is, therefore, the policy of the Municipality to protect and promote employee health and safety and to take every precaution reasonable in the circumstances to ensure that work sites are safe and healthy for employees and the general public as they may come in contact with the Municipality's work sites. The Occupational Health and Safety Act and accompanying Regulations of the Province, along with acceptable occupational practices, shall describe the minimum standard expected for health and safety in the Municipality's work sites. We will encourage and support any employee or supervisor who wishes to raise that standard.

The Municipality recognizes and values the knowledge and skills of employees with regard to performing their jobs safely and will promote a workplace culture where employees are supported and encouraged to contribute to health and safety programs and initiatives. The Municipality commits to working in partnership with its employees through the internal responsibility system, to develop and implement measures in order to eliminate and minimize risk of occupational injury and illness in the work site through an active hazard assessment program.

The Municipality holds all levels of management responsible for implementing this policy, an occupational health and safety program and for ensuring that the Municipality is in compliance with the Occupational Health & Safety Act and Regulations. All employees, including management, are responsible to comply with the duties set out in this policy, to following the health and safety program and to cooperate with the Joint Occupational Health & Safety Committees and Representatives. Outside contractors are to be informed, through the supervisors responsible for them, of the sections of this policy that impact on them, and that they will be held responsible to comply with those sections.

Note:

A copy of this policy is to be given to each contractor by the supervisor prior to accepting the tender.

Signed Chief Administrative Officer/Rep _____
Date _____

Policy Objectives

The objectives of this policy are to ensure that all Municipal work sites are in compliance with the Occupational Health and Safety Act and Regulations and that every precaution, reasonable in the circumstances, is taken to provide for a healthy and safe working environment. Implementation of this policy, through the establishment of an occupational health and safety program, based on the concept of internal responsibility, will assure that management and employees work together to promote health and prevent work site accidents and illnesses.

Guiding Principles

Health and safety is a shared responsibility. Employees at all levels of the Municipality are responsible and accountable to work safely at all times, to identify and report hazards, and to take whatever measures, necessary and reasonable in the circumstances, that protect and promote health and safety.

The Municipality is responsible for implementing and complying with this policy in all areas of operations. Each level of management is responsible for the provision of a safe and healthy working environment for all employees and the achievement of the objectives of this policy.

Management is responsible for ensuring that the work site is safe and healthy, by ensuring that employees are advised of actual or potential hazards, and are instructed in, and follows, safe work procedures.

Active employee participation, involvement and full cooperation with those exercising responsibilities in health and safety are key ingredients in effective health and safety programs.

Occupational Health and Safety is the basis of this manual and will be consistent with the policies of any governmental legislation, regulations and guidelines regarding the safety and security of the public and the environment.

Safety rules and practices shall be enforced in the work site by both employees and supervisors and shall be reasonable and consistent.

Policy Application

Employees

This policy applies to all employees of the Municipality. This policy must be part of the orientation program for new employees and must be reviewed with all current employees at the time of its coming into effect. Any changes made to this policy are also to be reviewed with any employees, affected, as soon as the changes come into effect.

Contract Work

This policy also applies to those who undertake work for the Municipality by contract. Any contracted work that is carried out by a party who contracts for the work must be in accordance with the Occupational Health and Safety Act and Regulations, and with any applicable policies or practices.

The Municipality, will, in relation to contract work, supervise, to the extent of its ability and authority, the party who contracted the work for compliance with the Occupational Health and Safety Act and Regulations and any applicable policies or practices. The Municipality will advise all parties involved in contracted work, along with the Joint Occupational Health and Safety Committee, of policies, procedures, any known hazards, and other matters that relate to the work.

Policy Directives

Legislation

This policy is concerned with the Occupational Health and Safety Act and Regulations made pursuant to the Act. In essence, the purpose of the Act is to prevent occupational injury and illness in the work site. All Municipal work sites shall meet or exceed the regulatory requirements of the Act.

Posting in Municipal Work Sites

This policy manual is to be readily accessible to all employees and shall be posted in all work sites.

Occupational Health and Safety Program

An occupational health and safety program, including the joint occupational health and safety committees, a defined occupational health and safety concern/complaint procedure, a refusal-to-work procedure and programs specific to the Municipality's operational needs, are to be developed in consultation with the committee(s), implemented, maintained, evaluated and communicated to all employees in order to meet the requirements of this policy and of the Occupational Health and Safety Act and Regulations.

The occupational health and safety program shall include, but not be limited to:

- a) provision for training and supervision of employees in matters related to health and safety;
- b) provision for the preparation of written work procedures as is required to implement safety and health work practices including those required pursuant to the Occupational Health and Safety Act;
- c) provision for the establishment and continued operation of occupational health and safety committees including maintenance of records, rules of procedure, access to a level of management with authority to resolve health and safety matters;
- d) provision for a hazard identification system that includes the evaluation of the work site to identify potential hazards, procedures and schedules for regular inspections, procedures for ensuring the reporting of hazards and the accountability of persons responsible for the correction of hazards, and identification of the circumstances where hazards must be reported by the employer to the committee and the procedures for doing so;
- e) provision for a system for work site occupational health and safety monitoring, prompt follow-up and control of identified hazards;
- f) provision of a system for the prompt investigation of hazardous occurrences to determine their causes and the actions needed to prevent re-occurrences;
- g) provision for the maintenance of records and statistics, including reports of occupational health and safety investigations with provision for making them available according to the Occupational Health and Safety Act.;
- h) provision for monitoring the implementation and effectiveness of the program; and
- i) provision for making a copy of the program available to the committee(s) and to any employee so requesting.

B. Employer's and Employee's Responsibilities

Management/Supervisors are responsible to:

*(References: OH&S Act section 13 and
Bill C- 45 referring to the criminal code of Canada)*

Adhere to this policy and ensure compliance with the Occupational Health and Safety Act and Regulations within work sites under their supervision;

Integrate preventive health and safety practices into Departmental activities and hold employees accountable for following safe work practices in performance appraisals;

Provide information and training to employees to protect their health and safety and provide training in the skills necessary for responsible partnership in work site health and safety, and maintain records of all such training;

Communicate information concerning work site hazards to employees and the necessary control procedures to be practiced;

Carry-out hazard assessment inspections of their respective work sites, forward any and all findings and resolutions to the safety committee(s) and retain those inspections on file, in the Municipality's safety recording system;

Take action immediately upon any and all reports or suspicion of unsafe or hazardous conditions or situations;

Supervise employees and audit work processes to ensure that employees work in the manner, and with the protective devices, measures and procedures, required;

Co-operate with employees and the Joint Occupational Health and Safety Committees and any person performing a duty under the Occupational Health and Safety Act and Regulations, in order to promote a safe and healthy work site;

Respond to recommendations from the Joint Occupational Health and Safety Committees, in writing when requested, and within the deadline specified in the Occupational Health and Safety Act;

Evaluate health and safety performance and provide feedback to the Chief Administrative Officer; and

Ensure all Department of Labour orders and requirements are satisfied in a timely manner and report all such activities, including progress reports, to the Chief Administrative Officer.

Employees are responsible to: (*Reference OH&S Act section 17*)

Work in accordance with the Occupational Health and Safety Act and Regulations;

Adhere to this policy and all other management policies and directives on health and safe job performance in order to ensure compliance with the Occupational Health and Safety Act and Regulations;

Ensure work activity and behavior does not, through act or omission, place their own health and safety, or the health and safety of others at risk;

Report any and all work site hazards and any health and safety concerns to their immediate manager/supervisor, Occupational Health and Safety Committee or the Department of Labour;

Report all personal injuries and property or equipment damage to the manager in a timely manner, no matter how minor;

Follow established safe work procedures, wear personal protective equipment as required, and as instructed, and use machinery, equipment and materials, only as authorized and as trained;

Participate, wherever possible, in defining safe job procedures and in opportunities to protect and promote health and safety on the job; and

Co-operate with the Joint Occupational Health and Safety Committee or any person performing a duty under the Occupational Health and Safety Act and Regulations.

C. Contractor's Policy

The Municipality of the District of Lunenburg is committed to an effective Occupational Health and Safety System that protects staff, property, equipment and the public from accidental harm and damage. To achieve this, health and safety shall be integrated into all work activities. This policy and code of practice is meant to provide guidance on managing contractors.

Policy

The following guidelines are intended to familiarize contractors with the Municipality of the District of Lunenburg's expectations. Contractors are required to adhere to all Provincial and/or Federal Legislation, as well as to Municipality of the District of Lunenburg Policies and Safe Work Practices regarding occupational health and safety, including but not limited to:

the Nova Scotia Occupational Health and Safety Act, the Nova Scotia Occupational General Safety Regulations, the Workplace Hazardous Material Information System Regulations, the Municipality of the District of Lunenburg's Safety Program Manual, the Nova Scotia Code of Practice for Tree Trimmers, the Temporary Workplace Traffic Control Manual, the First Aid Regulations and the Confined Space Entry Regulations.

Safe Work Practice

1. Contractors or their employees will not be considered to be employees of the Municipality of the District of Lunenburg.
2. Contractors shall be solely responsible for taking all safety precautions during construction and completion of the work, and for keeping the site safe and clean at all times. Contractors shall, upon request, designate a competent person to coordinate safety on-site.
3. Contractors shall ensure that all employees working on-site, including supervisors, have been properly trained in all applicable safety aspects of the work. Proof must be supplied upon request.
4. Contractors are responsible for the safety of any subcontractor who arrives on-site. This includes ensuring that they have all required personal protective equipment and that they follow site safety rules.
5. Contractors shall ensure that the proper tools, competent employees and supervision are available to perform the work safely.
6. Contractors shall ensure that all their personnel working on the worksite have been properly trained in the Workplace Hazardous Materials Information System (WHMIS) prior to arriving on-site. An up-to-date copy of all Material Safety Data Sheets (MSDS) for controlled products used must be readily available on-site before delivery and all hazardous materials must be labeled in accordance with WHMIS.
7. Contractors shall follow the requirements of the Occupational Health and Safety Act as they relate to the formation and operation of site safety committees.

8. Contractors shall maintain monthly accident and industrial illness records. These records and/or Workers' Compensation reports or claims shall be provided to the Municipality of the District of Lunenburg upon request.
9. Contractors shall be prepared to stop work if conditions are such that the job cannot be performed safely.

First Aid and Medical Services

Every contractor shall provide, supply, and maintain first aid supplies, services, and qualified personnel required by the Nova Scotia First Aid Regulations in convenient proximity to the working areas, and they shall be readily available and accessible to the employees during all working hours.

The contractor is responsible for developing an Emergency Safe Work Practice covering activities starting from the initial injury to the transportation of the injured employee to the hospital if required.

As a minimum, the Emergency Safe Work Practice should address the following concerns:

1. Communication system to be used in case of an emergency.
2. Emergency phone list.
3. Transportation to hospital.
4. Notification to the Nova Scotia Department of Labour.
5. Notification of family.

A copy of this Emergency Safe Work Practice plan shall be provided to Municipality of the District of Lunenburg upon request.

Site Inspection

Safety is everyone's responsibility, and everyone should strive to make the worksite a safe place to work.

On a regular basis, a Municipality of the District of Lunenburg representative will be visiting the site to monitor work activities. If a safety deficiency of a serious nature is noted, the Municipality of the District of Lunenburg representative may direct the contractor to stop work until the situation is resolved.

Nova Scotia Department of Labour

Periodically, an inspector with the NS Department of Labour may make site inspections for safety deficiencies. Safety deficiencies noted by the inspector shall be corrected immediately, if possible. A copy of the inspection report will be provided by the inspector for Municipality of the District of Lunenburg follow up. The contractor is fully responsible for site safety.

D. Consultants

In situations where a consultant has been hired by the Municipality of the District of Lunenburg to oversee/manage a project in conjunction with a contractor(s), the consultants, in the event of a suspected violation of the Occupational Health and Safety Act, shall:

1. Verbally advise the contractor of a suspected violation of the Occupational Health and Safety Act.
2. If the contractor does not respond promptly to the verbal notification, the consultant will inform contractor of his/ her intention to contact the NS Department of Labour and give the contractor written notice of the violation.
3. If the contractor does not promptly rectify the situation following written notification, the consultant shall contact the Department of Labour and request that they inspect the work for compliance. If the Department of Labour is unable to visit the site immediately, the consultant may direct the contractor to stop work on behalf of the Municipality of the District of Lunenburg.

Accident Reporting and Investigation

In the event of a serious injury or fatality on a construction site, the priority is the care of the victim(s) as per the emergency care Safe Work Practice. Secure the area as soon as possible.

Except, as otherwise directed by an officer, no person shall disturb the scene of an accident that results in serious injury or death except as necessary to:

- (a) Attend to persons injured or killed
- (b) Prevent further injuries or death
- (c) Protect property that is endangered as a result of the accident.

All accidents/incidents resulting in serious injury shall be reported to the CAO or representative as soon as possible. (Serious injury is defined in section 63 of OH&S act as occasion's bodily injury)

E. Contractor Safety Performance

If a contractor's safety performance is not in accordance with Occupational Health and Safety Regulations or Municipality of the District of Lunenburg's safe work practices, where the Municipality of the District of Lunenburg representative has knowledge of such violations, the following will apply:

1. The contractor shall be given notification listing safety deficiencies.
2. The contractor shall acknowledge notification, indicating corrective action taken, including action to prevent recurrence.
3. Should the contractor refuse to take appropriate corrective action, the NSDEL shall be contacted immediately.
4. Continued unsatisfactory safety performance will have a negative effect on the contractor's ability to obtain future Municipality of Lunenburg contract work.
5. Continued unsatisfactory performance may be grounds for breach of contract and termination of contract.

A copy of a Contractor Safety Violation Report is on the following page.

CONTRACTOR SAFETY VIOLATION REPORT

To: _____

Date: _____

Safety Violation: _____

Date of Observation: _____ Location: _____

Observed by: _____ Action Taken: _____

Copy to: _____

Contractor _____ Date _____

Municipality Supervisor _____ Date _____

F. Accident Reporting and Investigation

In the event of a serious injury or fatality on a construction site, the priority is the care of the victim(s) as per the emergency care Safe Work Practice. Secure the area as soon as possible.

Except as otherwise directed by an officer, no person shall disturb the scene of an accident that results in serious injury or death except as necessary to:

- (a) Attend to persons injured or killed
- (b) Prevent further injuries or death
- (c) Protect property that is endangered as a result of the accident.

All accidents/incidents resulting in serious injury shall be reported to the CEO or representative as soon as possible. (Serious injury is defined in section 63 of OH&S act as occasion's bodily injury)

Request for Agenda Items under Mayor's/Deputy Mayor's/Councillors' Matters

TO: Chief Administrative Officer
 FROM: Martin Bell, Councillor - District #2
 DATE: February 7th 2020

1. Agenda Item

Discussions around election signage this fall.

2. On what agenda do you want the item placed?

Policy & Strategy Committee Meeting of February 18, 2020

3. Do you have written material to circulate with the agenda? Yes No

If you do, please attach it to this form. If you do not, please explain.

Concerns for the environment by the unrestricted use of election signs as there is no source to recycle these signs.

I am not suggesting to out right ban the use but I believe we could restrict or limit the number of signs as a start.

4. What is its relevance to Council or the committee?

It's my understanding that other municipal units have set agreed limits to size or number of signs.

Maybe we could ask other municipal units if they have limited the use of such signs for comparison.

5. What outcome(s) are you seeking?

We need to have the discussion so that everyone plays by the same rules. I would prefer to make a donation to the local food bank rather than spend money on signs that end up in the land fill site after the election.

Martin Bell

Digitally signed by Martin Bell
Date: 2020.02.07 10:29:35 -04'00'

Councillor's Signature

2/7/20

Date

Approval for agenda: Yes No

Reason for Denial:


Mayor or Chair of Committee


Date