

**AGENDA**  
**POLICE ADVISORY BOARD MEETING**

Wednesday, January 22, 2020  
9:00 a.m.

Page

1. CALL TO ORDER
2. NOMINATION AND ELECTION BY BALLOT – CHAIR & VICE CHAIR  
[By-law Respecting the Membership and Responsibilities of the Police Advisory Board, Section 3.3]
3. APPROVAL OF AGENDA (as circulated)
4. APPROVAL OF MINUTES – October 23, 2019 (as circulated)
4. BUSINESS ARISING FROM MINUTES
  - 4.1 Blockhouse Speed Study..... 2-3
  - 4.2 Speed Trailer
  - 4.3 Three Churches Photo Spot, Oakland Road ..... 4-6
  - 4.4 Signage – Fancy Lake..... 7-8
5. RCMP REPORTS (as circulated)
  - 5.1 Receipt of RCMP Reports (as circulated)
  - 5.2 Committee Questions pertaining to RCMP Reports
6. COMMITTEE MEMBER MATTERS
  - 6.1 Walden Fire Department’s stolen Generator (request from Council Dec 10th) ..... 9-10
  - 6.2 12-month notice – MGA & Police Act (information only) ..... 11-13
  - 6.3 Engraving of Fire Department Equipment (for security purposes)
7. ADDED ITEMS
8. NEXT MEETING DATE – April 22, 2020
9. ADJOURNMENT



Police Advisory Board  
Date: January 22, 2020  
Item: 4.1  
Authorization: A.Dumaresq

210 Aberdeen Rd.  
Bridgewater NS B4V 4G8

Phone 902-543-8181  
Fax 902-543-7123

## OFFICE OF THE MAYOR

26 November 2019

Department of Transportation and Infrastructure Renewal  
Attn Glen Strang, Area Manager  
PO Box 409  
Bridgewater, NS B4V 2X6

Dear Mr. Strang:

**Re: Blockhouse Speed Study 2018**

Please find enclosed a copy of a letter dated June 6, 2018 requesting that a speed study be carried out in Blockhouse. We believe this study was undertaken in the Summer/Fall of 2018, but to date we have not been provided any written results or a report of the outcome of this study.

As this is an agenda item of our Police Advisory Board, I would be grateful if you could forward this information to me at your earliest convenience.

Sincerely,

Carolyn Bolivar-Getson, E.C.N.S.  
Mayor

CBG/sc

Enc.



# Municipality of the District of Lunenburg

June 6, 2018

Department of Transportation and Infrastructure Renewal  
Attn: Glen Strang, Area Manager  
PO Box 409  
Bridgewater, NS B4V 2X6

**COPY**

Dear Mr. Strang

Municipal Council, in session on Tuesday, May 22, 2018, received a recommendation from the Police Advisory Board. Based on this recommendation, Municipal Council passed the following motion:

“that Municipal Council write a letter to the Department of Transportation and Infrastructure Renewal requesting that a speed study be carried out in the Blockhouse area; more specifically, the section of Highway 325 where the 70 km/hour speed limit starts (at or about civic #111) to the beginning of the 50 km/hour speed limit, just before Castle Building Supplies.”

Residents and employees at Castle Building Supplies have expressed concerns over speeding in the area, and there are safety concerns as there are large vehicles entering and exiting the business.

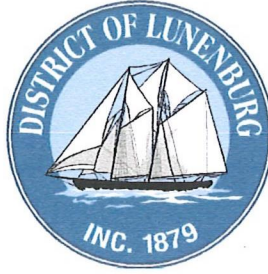
Please give consideration to the request for a speed study in Blockhouse.

Sincerely,

Carolyn Bolivar-Getson, E.C.N.S.  
Mayor

CBG/re

c Police Advisory Board



Police Advisory Board  
Date: January 22, 2020  
Item: 4.2  
Authorization: A.Dumaresq

210 Aberdeen Rd.  
Bridgewater NS B4V 4G8

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## OFFICE OF THE MAYOR

26 November 2019

Department of Transportation and Infrastructure Renewal  
Attn Glen Strang, Area Manager  
PO Box 409  
Bridgewater, NS B4V 2X6

Dear Mr. Strang:

### **Re: Photo Opportunity Pull-Off – Oakland Road, Oakland**

Further to your email to Chris Kennedy dated 18 October 2019 advising that your department is looking into the possibility of installing guideposts along the shoulder line along the Oakland Road, Oakland where people attempt to take photographs of the Three Churches of Mahone Bay.

It was discussed that as this is an iconic image of the South Shore of Nova Scotia, from a road-safety perspective perhaps an official pull-off / look-off / photo opportunity spot could be created along this stretch of road.

I am writing to both the Department of Transportation and Infrastructure Renewal and Tourism Nova Scotia to request the possibility to be considered.

I look forward to your reply in due course.

Sincerely,

Carolyn Bolivar-Getson, E.C.N.S.  
Mayor

CBG/sc



210 Aberdeen Rd.  
Bridgewater NS B4V 4G8

Phone 902-543-8181  
Fax 902-543-7123

## OFFICE OF THE MAYOR

26 November 2019

Tourism Nova Scotia  
Attn Michele Saran, Chief Executive Officer  
8 Water Street  
Windsor, NS B0N 2T0

Dear Ms. Saran:

### **Re: Photo Opportunity Pull-Off – Oakland Road, Oakland**

At recent meetings of the Police Advisory Board, a problem has been highlighted regarding dangerous parking along the Oakland Road, Oakland where people attempt to take photographs of the Three Churches of Mahone Bay.

It was discussed that as this is an iconic image of the South Shore of Nova Scotia, from a road-safety perspective perhaps an official pull-off / look-off / photo opportunity spot could be created along this stretch of road.

I am writing to both the Tourism Nova Scotia and the Department of Transportation and Infrastructure Renewal to request the possibility to be considered.

I look forward to your reply in due course.

Sincerely,

Carolyn Bolivar-Getson, E.C.N.S.  
Mayor

CBG/sc

December 16, 2019

Carolyn Bolivar-Getson  
Mayor  
Municipality of the District of Lunenburg  
210 Aberdeen Road  
Bridgewater, NS B4V 4G8

DEC 16 2019

RECEIVED

Dear Ms. Bolivar-Getson:

Thank you for your letter dated November 26, 2019, requesting that a pull-off/ look-off be considered along Oakland Road, Oakland.

We agree that the image of Mahone Bay's three, waterfront churches is a popular and iconic scene along Nova Scotia's South Shore. In an attempt to capture the perfect shot, we recognize visitors stop along the nearby Oakland Road, which has a narrow shoulder and no designated parking area may create a safety hazard. It would be great if a pull-off or wider shoulder could be constructed with advance signage to provide a better experience and decrease any safety concerns.

As Transportation and Infrastructure Renewal is the lead department for road-related development and safety, I would defer to the department to determine how best they may be able to work with your municipality to address this issue.

Thank you for your interest in improving the experience for visitors to Nova Scotia.

Yours truly,



Michele Saran  
CEO  
Tourism Nova Scotia

cc: Paul LaFleche, Deputy Minister of Transportation and Infrastructure Renewal

**From:** Nelson, John [REDACTED]  
**Sent:** October 25, 2019 2:17 PM  
**To:** Chris Kennedy <[Chris.Kennedy@modl.ca](mailto:Chris.Kennedy@modl.ca)>  
**Subject:** No Wake Zones

Dear Mr. Kennedy,

Thank you for your email concerning No Wake signage. In Nova Scotia all inland lakes and rivers, more than 100m, have a speed restriction that prohibits anyone from traveling more than 10km within 30m of shore. This restriction comes under the Vessel Operation Restriction Regulations (VORRs). The same regulations enable local authorities to apply for restrictions that inhibit certain vessels of speed or power on certain waterways. This is a lengthy process that makes the restriction into a law. To circumvent a lengthy consultation process, the province opted to implement the 30/10 rule on all inland waters in Nova Scotia. Under these VORRs, official signs are placed on waterways that have specific restrictions. These official Transport Canada signs cannot be used, replicated or have the appearance of VORR signage and used in any other unapproved manner.

That being said, No Wake Signs are not official Transport Canada signs. So long as they do not have the appearance or markings of official Transport Canada signs, and do not restrict navigation, then they do not contravene the VORRs. With the above caveat, Transport Canada does not regulate the use of No Wake signage.

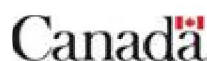
Local enforcement, including DNR in N.S, have the capacity to issue fines to vessels travelling greater than 10km within 30m of shore under 2(7) of the VORRs. Generally this provision of the VORR is unposted. Transport Canada does not have these signs available as we speak, but may in the future. The fine is \$200.

If there is damage resulting from wake, property or otherwise, then the issue becomes a civil matter.

I would be happy to assist with any safety concerns that yourself, your committee, or the general public may have. Feel free to contact me, or distribute my contact to anyone who has a waterway management issue,

<https://laws-lois.justice.gc.ca/eng/regulations/sor-2008-120/>

John Nelson | Boating Safety Officer | Agent de sécurité nautique  
Marine Safety and Security | Sécurité et sûreté maritimes  
Transport Canada | Transports Canada  
45 Alderney Drive, PO Box 1013, Dartmouth, NS, B2Y 4K2  
[REDACTED]  
Tel. | Tél. (902) 497-7386  
Government of Canada | Gouvernement du Canada



**From:** Chris Kennedy [<mailto:chris.kennedy@modl.ca>]

**Sent:** Thursday, October 17, 2019 10:28 AM

**To:** OBS <[OBS@tc.gc.ca](mailto:OBS@tc.gc.ca)>

**Subject:** Comment From Web

**subject:** Navigational Signage Fresh Water Lakes

**Comments:** I sit on the Police Advisory board and a question on a no-wake sign placed in Fancy Lake in one of the coves. Residents have safety concerns and were wondering if this is allowed and what regulations need to be followed. I was directed to your office as the one possibly having jurisdiction.

**Name:** Chris Kennedy

**Title:** Fire Services Coordinator

**Organization:** Municipality of the District of Lunenburg

**Telephone:** 902-541-5306 cell 902-212-1165

**Province or territory:** Nova Scotia



# Municipality of the District of Lunenburg

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## MEMORANDUM

TO: Chris Kennedy, Fire Services Coordinator

cc: Sandra Challis, Administrative Assistant

FROM: Tom MacEwan, Chief Administrative Officer

DATE: December 10, 2019

RE: **Policy MDL-53 Funding Electrical Connections for Community Generators**

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At the December 10, 2019 meeting of Council, there was a discussion around the stolen generator from the Walden Fire Department. It was asked that an update be provided by the RCMP as to the status of the investigation into the stolen generator.

Please add the following to your next Police Advisory Board meeting and provide an update to Council when available:

Update re Stolen Generator from Walden Fire Department

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Tom MacEwan  
Chief Administrative Officer

/trb

**From:** Mark MacPherson [REDACTED]  
**Sent:** December 11, 2019 12:32 PM  
**To:** Sandra Challis <[Sandra.Challis@modl.ca](mailto:Sandra.Challis@modl.ca)>; Chris Kennedy <[Chris.Kennedy@modl.ca](mailto:Chris.Kennedy@modl.ca)>  
**Cc:** Coughlin, Paul [REDACTED]  
**Subject:** Re: Request for Update: Stolen Generator

Hello

So I reviewed that file recently and part of the hold up is the investigator is waiting for a serial number from the Fire Department. Although the generator is a large one and therefore not as common as the household sized ones, it is imperative that we have a serial number to identify same and to add it to our CPIC system. I will have investigator reach out again to see if they located same.

Chris, does the Municipality keep inventory on such things ?

I will be able to give a verbal update on the generator file for sure.

>>> Sandra Challis <[Sandra.Challis@modl.ca](mailto:Sandra.Challis@modl.ca)> 2019-12-11 11:50 AM >>>  
Good morning,

Please find attached a motion from Council requesting an update from the RCMP on the stolen generator from the Walden Fire Department. This will be on the agenda for the January 22nd meeting of the Police Advisory Board.

I hope you will be able to provide the Board with a verbal update on this matter.

Kind regards,  
Sandra

*Sandra Challis*  
**Administrative Assistant**  
Municipality of the District of Lunenburg



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

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

DEC 19 2019

Juanita Spencer  
Chief Executive Officer  
Nova Scotia Federation of Municipalities  
Suite 1304, 1809 Barrington Street  
Halifax, NS  
B3J 3K8

Dear Ms. Spencer:

**Re: Notice under Section 519 of the *Municipal Government Act* of Regulations under the *Police Act***

Please accept this letter as official notice to the Nova Scotia Federation of Municipalities under Section 519 of the *Municipal Government Act* of anticipated changes to the *Police Regulations* made under the *Police Act*. These changes were discussed with you at a meeting on October 24, 2019 with representatives from the Departments of Justice and Municipal Affairs and Housing. While the effective date of this regulatory change has yet to be determined, it will be at least one year from the date of this letter to ensure the required notice is provided.

The Minister of Justice has sought an amendment to Section 29 of the *Police Regulations* made under the *Police Act* to extend the timeframe for filing a public complaint against municipal police from 6 months to one year, with the ability for the Police Complaints Commissioner to further extend the timeline where the Commissioner considers there to be good reasons for doing so and it is not contrary to the public interest. This change will align with that for RCMP officers in the *Royal Canadian Mounted Police Act*. This change is prospective in effect and will not permit complaints where the conduct complained of was more than one year before the date the regulatory amendment takes effect.

The change was formally requested by the Halifax Board of Police Commissioners following Dr. Scot Wortley's report on street checks issued earlier this year which stated the 6-month timeframe was identified as a concern during community consultations. The independent Office of the Police Complaints Commissioner has also requested this timeframe be extended. At its core, the current timeframe of 6 months for a public complaint against municipal police is an issue of access to justice for those who wish to file a complaint because of alleged police misconduct, and an amendment is relevant province-wide.

The Office of the Police Complaints Commissioner currently tracks the number of complaints denied for being outside the existing 6-month filing timeframe. For 2016-2018 the following outlines the number of total complaints and the number denied as untimely:

.../2

- 2016 – 121 public complaints filed within the 6-month timeframe; four complaints not processed due to being filed outside of the 6-month timeframe;
- 2017 – 154 public complaints filed within the 6-month timeframe; 10 complaints filed outside of the 6 months were not processed;
- 2018 – 197 public complaints filed within the 6-month timeframe; nine complaints filed outside of the 6 months were not processed.

We understand additional costs are not incurred for most complaints as these are investigated by the Chief or delegate. Costs are primarily incurred when:

- A complaint results in a meeting of the police agency and the member under Section 44(3) of the *Police Regulations* following the police chief's determination that there *may* be some merit to the allegation as a member is entitled to legal representation at this meeting (may be provided by union legal counsel);
- A complaint is advanced to the Review Board and a hearing takes place;
- A complaint is advanced to the Review Board but a settlement is negotiated prior to a hearing taking place;
- A complaint involves a police chief and is investigated by a barrister instead of another police chief.

Costs associated with Review Board hearings can vary considerably based on the complexity and length of the hearings and what, if any, settlement discussions take place. Other costs relate to the provision of legal representation to members at disciplinary meetings; this expense is often limited as members are frequently represented by legal counsel for their union. Of the total number of public complaints filed each year, few proceed to a Review Board hearing. Between 2016 and 2018, 472 public complaints were filed but only three Review Board hearings were held. There were two hearings in 2016, one hearing in 2017, none in 2018, and five heard or pending for 2019.

It is possible that increasing the time frame for filing a public complaint will result in increased expenditures to municipalities, but the extent of increase may be difficult to predict. Representatives of the Department of Justice discussed this regulatory change with members of the Association of Municipal Administrators during a call on July 18, 2019. Following the call, municipal CAO's provided the following breakdown of costs by municipality as provided by the CAO's for 2016-2018. Several municipalities did not provide any costing to support the number of complaints listed and the costs provided included both public and internal complaints, however, the proposed amendment will only apply to public complaints.

.../3

Municipality	# Public Complaints	# Internal Complaints	Total Complaints (2016-18)	Cost
Cape Breton	58	20	78	\$156,493
Halifax	340	78	418	
Amherst	13	9	22	
Annapolis Royal*	0	0	0	
Bridgewater**	1	2	3	\$65,000
Kentville	8	0	8	
New Glasgow	8	18	26	
Stellarton	17	1	18	
Truro	21	13	34	
Westville	4	0	4	
<b>Total</b>	<b>470</b>	<b>141</b>	<b>611</b>	

\* No hearings in 2016-18 but paid \$150,000 over 5 years ago (\$30,000 paid by municipality, \$120,000 under insurance policy). \*\* Covers costs from 2014-2018.

In addition, HRM and CBRM have collective agreements (CA) addressing costs paid by the municipalities toward public complaints. Section 30.01 of the CBRM CA requires the employer to provide a solicitor at no cost to the employee where a public complaint has been filed under the *Police Act*. Article 23, section 10 of the HRM CA requires the municipality to pay a maximum of \$75,000 per fiscal year, cumulatively, for legal representation on all public complaints under the *Police Act* for which the complaint is not sustained.

I trust this information sufficiently identifies the anticipated changes to the *Police Regulations* and the potential associated costs. I ask that you please bring this letter to the attention of the Board of Directors of the Nova Scotia Federation of Municipalities at your earliest opportunity.

Should you require further information please do not hesitate to contact Wanda Fletcher, Department of Justice at 424-3178 regarding this important issue.

Yours truly,

Chuck Porter  
 Minister

- c. Honourable Mark Furey, Attorney General and Minister of Justice  
 Mark Peck, Executive Director, Municipal Affairs and Housing  
 Wanda Fletcher, A/Executive Director, Department of Justice