

AGENDA
MEETING OF MUNICIPAL COUNCIL

Bridgewater, NS

Tuesday, February 25, 2020 – 9:00 a.m.

1. CALL TO ORDER

1.1 Mi'kma'ki Territorial Acknowledgement

2. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITION

2.1 Proclamation – Nova Scotia Lobster Day, February 28th

3. PUBLIC INPUT (15 Minutes)

4. APPROVAL OF AGENDA

5. APPROVAL OF MINUTES – February 11, 2020

6. BUSINESS ARISING FROM MINUTES & UNFINISHED BUSINESS

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8. PRESENTATIONS/SCHEDULED TIMES

8.1 Citizens for Public Transit, Stewart Franck 10:15 a.m. 35-125

8.2 New Administration Building Update – Andrew Amos, Catalyst 11:00 a.m. 126-138

9. CONSIDERATION OF CORRESPONDENCE

10. RECOMMENDATIONS FROM COMMITTEES & BOARDS

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Private Streets re Repeal & Replace – 1st Reading(139) 142-159

10.1.3 Amendment to Policy MDL-58 Fees(139) 160-163

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11.2 Administration Department

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- 12.2 Deputy Mayor's Update
- 12.3 Mayor's Update

13. ADDED ITEMS

14. IN CAMERA

- 14.1 Contract Negotiations re LCLC Agreement Update under Section 22(2)(e) of the MGA
- 14.2 Contract Negotiations re Internet Services under Section 22(2)(e) of the MGA

15. ADJOURNMENT

Municipal Joint Services Board

131 North St, PO Box 209, Bridgewater, NS B4V 2W8
Phone: (902) 543-2991 Fax: (902) 530-5189

A Joint Services Board

REPORT TO: MoDL Council
SUBMITTED BY: Stephanie Smits, Outreach & Communications Sup., MJSB
DATE: January 14, 2020
RE: Proposed Solid Waste Bylaw Amendments

BACKGROUND

In 2018, a Request for Proposals (RFP) was issued for curbside waste collection services. The 2020 – 2024 collection contract was awarded to GE Environmental. The goals of the RFP were to reduce collection costs per household, improve collection efficiency and introduce new curbside services.

MoDL's Solid Waste Collection By-law requires amendments as a result of new services being introduced. Services include:

- Bi-weekly bulky landfill collection (Section 6.2)
- Annual fall wood and metal collection (Section 6.3)
- Annual fall curbside electronics collection (Section 16.0)

Spring and fall clean-up will be replaced by two different types of collection: bi-weekly bulky landfill and a separate wood and metal collection. Kraft paper leaf and yard waste bags are being promoted as the only option for leaf collection. Other amendments include wording regarding the stockpiling of waste materials on properties, vehicles used for illegal dumping activities and a definition change from privacy bag to non-transparent bag.

DISCUSSION

Collection Changes

Bi-weekly bulky landfill collection gives residents an option to put out two bulky landfill items, every two weeks. Would include items such as mattresses, couches, upholstered furniture and plastic lawn furniture. Items up to 100 kgs (220 lbs) each and up to (1.8 m) 6 feet long would be collected. Eliminates the need to store bulky items and provides timely pick up. Alleviates issues for those who do not have a way to drop off large items at the Community Recycling Centre.

A dedicated fall wood and metal pick up would take place on residents' regular collection day during a two-week period. Both materials are reusable and recyclable. Items such as wooden furniture, boards, pallets, metal-framed furniture, barbecues, stoves and empty hot water heaters would be accepted. A combined volume of 4 cubic metres (5.2 cubic yards) is proposed.

Fall curbside electronics collection would allow residents to put out three items accepted by the Provincial electronics program. Items to be picked up on residents' regular collection day during two-week period. Convenient alternative to transporting bulky electronics such as TVs.



Enforcement

Heavy kraft paper bags (Section 6.1 c ii) are proposed as the only option for leaf and yard waste. Residents would be encouraged to phase out their use of plastic leaf bags which cause widespread contamination in the organics stream. HRM banned the use of plastic bags for leaf collection in 2015 for this reason.

Definition *Privacy Bag* used to describe black bags when clear garbage bag program was introduced in 2014. Black bags can be used for discrete disposal of bathroom and hygiene items. Residents interpreted privacy bags as strictly private or bags which could contain unsorted waste, not subject to inspection. All waste collected at the curb may be inspected to ensure proper sorting and to guard against hazardous wastes. *Non-transparent bag* (Section 6.1 g) would replace this definition.

A Reverse Onus clause (Section 20.1.5) is included in the Bylaw: a person can be charged if dumped waste is found and it contains their name; they must sufficiently prove they didn't dump it. Proposed wording will also include *a particular vehicle* (or trailer) used to transport waste for the purpose of dumping. Plate numbers may be used as evidence if video surveillance or eye-witness account is obtained. Vehicle/ trailer owner must prove they didn't have control of the vehicle when offense is committed.

Waste accumulation or stockpiling is often reported to the Outreach and Compliance Officer. Valley Waste Resource Management have enabled waste bylaw enforcement staff to address waste accumulation cases by adding wording which gives their staff the authority to order uncollected waste be stored properly or disposed of (Section 21.6).

MUNICIPALITY OF LUNENBURG

A By-law Respecting SOLID WASTE COLLECTION AND DISPOSAL

DEFINITIONS

1.0 Governing Authorities

- .1 “N.S.E.” means that department of the Nova Scotia Provincial Government currently called “Nova Scotia Environment” or its successor provincial department should there be a name change.
- .2 **“Divert Nova Scotia”** a not-for-profit Board regulated by the Nova Scotia Solid Waste-Resource Management Regulations, under Section 102 of the Environment Act. The **Board’s mandates administering resource recovery fund as prescribed in** Section 4 of the Solid Waste Regulations.
- .3 **“Council”** means the council of the Municipality of the District of Lunenburg.
- .4 **“Municipal Joint Services Board”** referred to in this By-law **as “the MJSB,” means a** corporate body established pursuant to an Intermunicipal Services Agreement to which this Municipality is a party. The municipal parties to that Agreement have given the MJSB responsibility for the management of solid waste within their respective jurisdictions, pursuant to the s. 60 of the Municipal Government Act.
- .5 **“LRCRC”** means Lunenburg Regional Community Recycling Centre, a division under the mandate of the MJSB, overseeing the management of the Solid Waste system. The facility is located at 908 Mullock Road, Whynott’s Settlement.

SOLID WASTE

- 2.0 **“SOLID WASTE”** means collectible waste, non-collectible waste, bulky waste, construction or demolition materials, household hazardous waste, residual waste – all as defined herein and any other waste or discarded tangible personal property but excludes wastes from any industrial activity regulated by way of an approval under the *Environment Act*.
- 3.0 Words used in this By-law shall take their meaning from their context and from dictionaries of the English (Canadian) language, except as follows:
 - .1 “BLUE BAG RECYCLABLES” means glass jars and bottles, tins, aluminum cans, plastic bottles, rigid plastic containers, plastic bags, film stretch and pallet wrap, and milk and juice containers. Other materials may be identified, from time to time, by N.S.E.’s *Regulations Respecting Solid Waste-Resource Management*, November, 1995, as amended or other successive solid waste legislation.

- .2 "BRANCHES and LIMBS" means branches, limbs and brush.
- .3 "BOXBOARD" means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items.
- .4 "BULKY WASTE" means large items of a household nature including vacuum cleaners, plastic barrels, furniture (upholstered or wooden) mattresses, box springs and porcelain bathroom items such as toilets and sinks, but excluding compostable materials, paper, household waste, blue bag recyclables, household hazardous waste, designated electronic products, Christmas trees, asphalt shingles, discarded appliances, metal items, white goods, wooden pallets, metal or wooden barrels, artificial Christmas trees, car parts.
5. "COLLECTABLE WASTE" means those wastes which are eligible for collection, within the volume and other restrictions elsewhere in this By-law, on regularly-scheduled collection days and consists of the following categories:
- i) compostable materials (as defined herein);
 - ii) recyclables (as defined herein);
 - iii) residual waste (as defined herein);
 - iv) paper (as defined herein);
 - v) non-transparent bag (as defined herein); and
 - vi) bulky waste.
6. "COMMERCIAL CONTAINER" means any container used for the storage of properly sorted solid waste excluding household hazardous waste generated from multi-residential, institutional, commercial, industrial or other premises within the Municipality which waste exceeds the maximums or is outside the types of waste allowed on regular or special collection days as outlined elsewhere in this By-law and which container is designed to be emptied by, and the waste transported by, a hauler.
- .7 "COMPOSTABLE MATERIALS" means vegetable peelings, dairy products, meat, fish and shellfish, egg shells, bones, waste food products, coffee grounds and filters, grass trimmings, leaves, garden waste, ashes or soot, soiled and wet paper, table napkins, paper towels, pizza boxes, household cooking oil, household grease and fat, BRANCHES and LIMBS, untreated wood sawdust, wood chips and wood shavings. Other materials may be identified, from time to time, by N.S.E.'s *Regulations Respecting Solid Waste-Resource Management*, November, 1995, as amended or other successive solid waste legislation.
- .8 "CONSTRUCTION OR DEMOLITION MATERIALS" means left-over material generated as a result of any form of construction or renovation and materials generated from demolition activity including but not limited to: asphalt, brick, mortar, polystyrene or fibreglass insulation, cellulose, drywall, plaster, shingles, metal and scrap wood – regardless of whether such left-over material is regulated by the Province of Nova Scotia or meets the definition of "C & D Debris" in the N.S.E. 1997 Guidelines for same.
- .9 "CURB" means that portion of the public road right-of-way between the travelled portion or

parking area and the property line, which parallels the street centre line.

- .10 “DISPOSE” means any form of disposal of any material, including solid waste as defined herein: deposit, storage, placement, burning or burial regardless of whether or not the material being, or having been, deposited, stored or placed is in a box, bin, container, barrel, or any other containment device.
- .11 “DWELLING UNIT” means a room or series of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- .12 “**ELECTRONICS**” means any electronic device that is acceptable under the provincial Electronic Products Recycling Association (EPRA) program. The list of items under this category may change from time to time, as determined by EPRA.
- .13 “ELIGIBLE PREMISES” means those properties within the Municipality, which are eligible for collection services - up to the maximum restrictions, outlined elsewhere in this By-law – and includes all properties in the Municipality including properties located on private roads.
- .14 “HAULER” means any company or person who transports solid waste within the Municipality or within the boundaries of the municipal member units of the LRCRC (defined herein).
- .15 “HOUSEHOLD HAZARDOUS WASTE” means any corrosive, flammable or poisonous material or substance such as oil and oil products, radioactive materials, acids, poisons, insecticides or other poisons used for agricultural purposes or for rodent control, any substance or chemical highly lethal to mammalian or aquatic life and any substance or chemical dangerous to the environment – including but not limited to: batteries, left-over liquid paint, left-over corrosive cleaners, pesticides or herbicides, gasoline, fuel oil and used motor oil, solvents and thinners, pharmaceuticals, drugs and needles, aerosol cans, BBQ propane tanks and small propane cylinders or canisters such as those used for camp stoves or propane torches and marine flares.
- .16 “METAL ITEMS” means medium to large metal items including metal fencing, water tanks, oil tanks – subject to special requirements elsewhere in this By-law – and metal containers other than containers designed to hold either household hazardous waste (as defined herein) or anything intended for human consumption.
- .17 “MUNICIPALITY” means the Municipality of the District of Lunenburg.
- .18 “NATURAL CHRISTMAS TREE WASTE” means discarded non-artificial Christmas trees.
- .19 “NON-TRANSPARENT **BAG**” means residual waste which has been placed for collection subject to special requirements elsewhere in this By-law.
- .20 “OCCUPANT” means any person who, in addition to or instead of the owner, resides in

or is the lessee of, whether by way of verbal or written lease or other arrangement, a building or on a property located within the Municipality and includes any assignee or legal representative of same.

- .21 "ONE-SIDED COLLECTION" means collection of solid waste from only one side of a Public Highway.
- .22 "OWNER" means the owner of property and includes a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building and, in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building; and, in the absence of proof to the contrary, the person assessed for the property.
- .23 "PAPER" means newspapers, flyers, magazines, catalogues, boxboard, flattened corrugated cardboard, bond paper, computer paper, hard cover books (covers removed), telephone and other soft cover books, file folders – both traditional and expandable, envelopes (other than padded or bubbled envelopes), non-metallic wrapping paper and paper egg cartons, Third Class Mail and other materials as are identified, from time to time, by N.S.E.'s *Regulations Respecting Solid Waste-Resource Management*, November, 1995, as amended or other successive solid waste legislation.
- .23 "RESIDUAL WASTE" means broken bottles, crockery and glassware – subject to special requirements elsewhere in this By-law – and floor sweepings, pet litter, light bulbs, disposable diapers, hygiene items, discarded clothing and furnishings, broken toys, mats and small carpets, non-recyclable plastic, non-recyclable packaging including **Styrofoam™** and padded or bubbled envelopes, metallic wrapping paper, non-passenger tires, non-repairable household goods and other household waste.
- .24 "UNACCEPTABLE WASTE" means all material other than collectable waste, without limiting the generality of the foregoing, includes:
- i) highly combustible or explosive materials including, without limiting, flares, fireworks, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, ammunition, dynamite, or other similar material;
 - ii) materials that are considered pathogenic or biomedical including, without limiting, dressings, bandages or other infected materials or sharps discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
 - iii) a whole or part carcasses of domestic ruminants, including cattle;
 - iv) waste listed or characterized as hazardous by any Federal or Provincial law – other than household hazardous waste as defined herein;

- v) electronics, with the exception of an annual electronics collection;
- vi) solid waste generated, or originating from, outside the Municipality without prior approval;
- vii) liquid waste or material that has attained a fluid consistency and has not been drained;
- viii) soil, rock and stumps;
- ix) construction or demolition materials (as defined herein) – other than the exception as allowed under the definition of “bulky waste” in this By-law;
- x) septic tank pumping, raw sewage or industrial sludge;
- xi) radioactive materials;
- xii) contaminated soil;
- xiii) all passenger tires up to 24.5 inches as per the Tire Management Program administered by Divert Nova Scotia;
- xiv) industrial waste from factories or manufacturing processes;
- xv) manure, kennel waste, excreta, fish processing waste;
- xvi) lead-acid automotive batteries and propane tanks;
- xvii) waste which has been placed for collection but not in accordance with the provisions of this By-law; and,
- xviii) materials banned from landfill disposal by the N.S.E. *Regulations Respecting Solid Waste-Resource Management, November, 1995, as amended – other than recyclable materials or organic materials from eligible premises.*

.25 “WHEELED AERATED CART” shall be of either 140 litre capacity, 240 litre capacity or other MJSB approved capacity, brand and model.

.26 “WHITE GOODS” means any large household appliance including but not limited to stoves, dishwashers, washers, dryers, hot water heaters, refrigerators, freezers, dehumidifiers, and air conditioners – the last four (4) being subject to special requirements elsewhere in this By-law.

.27 “WOOD WASTE” means **scrap wood**, wooden pallets, wooden barrels and wooden

furniture.

COLLECTION

4.0 Collection of SOLID WASTE shall be as follows:

- .1 A collection for RESIDUAL WASTE, two (2) BULKY WASTE items, COMPOSTABLE MATERIALS, BLUE BAG RECYCLABLES and PAPER shall be made at least once in every fourteen (14) days, commencing at the hour of seven o'clock in the forenoon (7:00 a.m.), provided, however, that when a holiday occurs, as indicated on the collection calendar, on a collection day, such collections shall be made on the following Saturday, unless otherwise specified by the MJSB.
- .2 Collection shall include all properties in the MUNICIPALITY which abut a public listed and maintained road, which generate for disposal, quantities of SOLID WASTE not exceeding the limits specified in Section 9.0.
- .3 Where a property does not abut a public listed and maintained road, and in areas of private roads where the OWNER has a long driveway, on island or in other circumstances where conventional collection may be impractical, the owner may transport eligible SOLID WASTE to the nearest public listed and maintained road for collection.
- .4 Collection of ELECTRONICS, per restrictions noted elsewhere in this By-law, shall take place once in the fall of each year on a date to be specified by the MJSB.
- .5 Collection of WOOD WASTE and METAL, per restrictions noted elsewhere in this By-law, shall take place once in the fall of each year on a date to be specified by the MJSB.
- .6 Collection of properly - prepared NATURAL CHRISTMAS TREES, per restrictions noted elsewhere in this By-law, shall take place annually in the month of January on a date to be specified by the MJSB.
- .7 For the purpose of Section 4, the schedule of, and exact dates for, collection shall be published in a calendar distributed to OWNERS - which will also be posted on-line – and any other collection dates will be published in a local newspaper and/or advertised on a local radio station.

REQUIREMENTS TO STORE AND DISPOSE OF SOLID WASTE

5.0

- .1 Every owner shall:
 - a) Provide containers for SOLID WASTE storage.
 - b) All COLLECTABLE WASTE to be collected by the MUNICIPALITY shall be accessible to the contractor within 3 metres (approximately 10 feet) of the curb,

placed in such a manner as to not interfere with pedestrian traffic and snow removal.

- c) Maintain all containers that are not disposable in good repair and in sanitary condition.
- d) Place COLLECTABLE WASTE for collection only in containers of the type and meeting the standards set forth in Section 6.
- e) Be responsible for the disposal of SOLID WASTE generated from their property, including SOLID WASTE generated by OCCUPANTS having use of the property.

STORAGE FOR SOLID WASTE COLLECTION

6.0

.1 For the purpose of this Section, containers for solid waste "Storage" shall mean the following:

- a) For BLUE BAG RECYCLABLES:
 - i) Securely tied, blue-tinted transparent plastic waterproof bags of a dimension no smaller than 25 centimetres by 40 centimetres (10 by 16 inches), nor greater than 76 centimetres by 122 centimetres (30 by 48 inches), and shall not exceed a weight of 25 kilograms (55 lbs). All materials must be clean.
- b) For PAPER:
 - i) Placed in bags, securely tied, of a dimension no smaller than 25 centimetres by 40 centimetres (10 by 16 inches); nor greater than 76 centimetres by 122 centimetres (30 by 48 inches).
- c) For COMPOSTABLE MATERIALS:
 - i) WHEELED AERATED CART;
 - ii) LEAVES AND YARD WASTE may be placed in heavy kraft paper bags, of a dimension no smaller than 66 centimetres by 91 centimetres (26 by 36 inches) nor greater than 76 centimetres by 122 centimetres (30 by 48 inches) and shall not exceed a weight of 25 kilograms (55 lbs.) per bag; and,
 - iii) for leaves only, a maximum of three (3) bags per collection. This maximum increases to four (4) bags if no WHEELED AERATED CART is put out that day.
- d) For CHRISTMAS TREE WASTE:

- i) Cut into pieces and placed into the WHEELED AERATED CART; or
 - ii) shall be bundled and tied, and shall not exceed 0.9 metres (36 inches) in length; and
 - iii) shall not have decorations, ornaments, wire or nails attached; and
 - iv) weigh not more than 25 kilograms (55 lbs) per bundle.
- e) For BRANCHES AND LIMBS:
- i) Cut into pieces and placed into the WHEELED AERATED CART; or
 - ii) shall be bundled and tied; and
 - iii) shall not have any wire or nails attached; and
 - iv) weigh not more than 25 kilograms (55 lbs) per bundle; and
 - v) individual pieces shall not be more than 50 mm (2 inches) in diameter; and
 - vi) be less than 0.9 meters (36 inches) in length.
- f) For RESIDUAL WASTE (all other waste):
- i) Water tight metal or plastic cans:
 - 1) equipped with a tight fitting cover of metal, plastic or other impermeable material; and
 - 2) equipped with handles; and
 - 3) filled to a height not exceeding 5 centimetres (2 inches) below the top of the container; and
 - 4) shall not exceed a weight of 25 kilograms (55 lbs); and
 - 5) shall not exceed a volume of 100 litres, and shall not include cardboard drums, oil drums, paint containers or lard containers; or
 - ii) Placed in plastic, single use, waterproof, clear transparent bags, free from colour, of a dimension no smaller than 66 centimetres by 91 centimetres, (26 by 36 inches) nor greater than 76 centimetres by 122 centimetres (30

by 48 inches), and shall not exceed a weight of 25 kilograms (55 lbs).

- g) For NON-TRANSPARENT BAG:
 - i) Placed in a plastic, single use, waterproof opaque bag with a dimension no smaller than 66 centimetres by 91 centimeters (26 by 36 inches) nor greater than 76 centimeters by 122 centimeters (30 by 48 inches) and shall not exceed a weight of 25 kilograms (55lbs).

.2 Items placed for BULKY WASTE COLLECTION:

- a) Shall be packaged/bundled/boxed in such a manner so as to allow for pick-up and collection, and not include any COMPOSTABLE MATERIALS, BLUE BAG RECYCLABLES, PAPER, household waste, ELECTRONICS, WOOD WASTE, METAL ITEMS, metal barrels, WHITE GOODS, metal car parts NATURAL CHRISTMAS TREES, HOUSEHOLD HAZARDOUS WASTE or asphalt shingles.
- b) No person shall place, or caused to be placed, BULKY WASTE items for collection except in accordance with the following restrictions:
 - i) such waste shall be packaged, bundled or boxed so as to facilitate removal and handling;
 - ii) two (2) BULKY WASTE items may be placed for collection every fourteen (14) days;
 - iii) each item shall not exceed 100 kgs (220 lbs) in weight; and,
 - ii) each item shall not exceed 1.8 m (6 feet) in any dimension.

.3 Items placed for WOOD WASTE AND METAL COLLECTION:

- a) No person shall place, or caused to be placed, WOOD WASTE or METAL such as oil tanks, metal fencing, barrels, pallets and WHITE GOODS – out for collection except on a day designated by the MJSB for collection of same and in accordance with the following restrictions:
 - i) such waste shall be packaged, bundled or boxed so as to facilitate removal and handling;
 - ii) any WOOD WASTE and METAL shall be placed separately during the day designated by the MJSB for collection;
 - iii) WOOD WASTE and METAL shall not exceed 4 cubic metre (5.2 cubic yards) combined total per collection;
 - iv) each item shall not exceed 140 kgs (308 lbs) in weight; and,

- v) each item shall not exceed 1.8 m (6 feet) in any dimension.

PREPARATION OF SPECIFIC WASTES

7.0

- .1 a) For BROKEN BOTTLES, CROCKERY OR GLASSWARE:
 - i) Broken bottles, crockery and glassware shall be sealed in a box or a bucket and clearly identified— by noting, in large capital letters, on the outside of the bundle the words “BROKEN GLASS” – a warning to the contractor.
- b) For ASHES OR SOOT:
 - i) Ashes or soot shall be completely cooled for a minimum of four (4) weeks, then wetted down before depositing in the WHEELED AERATED CART.
- c) For NATURAL CHRISTMAS TREES:
 - i) It is to be unpackaged and undecorated, including the removal of all lights and any tree stand;
 - ii) shall not exceed 3 m (approx. 10 ft) in length;
 - iii) no person shall place, or cause to be placed, any NATURAL CHRISTMAS TREE out for collection before 5:00 p.m. of the day immediately preceding the day designated for collection of same;
 - iv) no person shall place, or cause to be placed, any NATURAL CHRISTMAS TREE out for collection after 7:00 a.m. of the day designated for collection of same;
 - v) each single-unit building shall place two NATURAL CHRISTMAS TREES for collection;
 - vi) each multi-unit building shall place one NATURAL CHRISTMAS TREE per unit, plus one additional NATURAL CHRISTMAS TREE for collection; and,
 - vii) commercial NATURAL CHRISTMAS TREE producers may not place unsold trees for collection.
- d) For CARDBOARD:
 - i) for CARDBOARD only, flattened, securely tied bundles, of dimension no greater than 91 centimetres (36 inches) by 61centimetres (24 inches) by 61 centimetres (24 inches) and shall not exceed a weight of 25 kilograms

(55 lbs.) per bundle.

WHEELED AERATED CARTS

8.0

- .1 Every owner shall:
- a) Use only a WHEELED AERATED CART for the storage of COMPOSTABLE MATERIALS for collection, except as otherwise permitted in clauses 6 1(c) and (d).
 - b) Maintain the WHEELED AERATED CART in good repair and sanitary condition.
 - c) WHEELED AERATED CARTS must remain on the property parcel for which it was assigned in accordance with the **MUNICIPALITY'S** policy MDL-44. The freely distributed WHEELED AERATED CART shall remain on the property when a householder sells a property. Care and use will be the responsibility of the householder or OCCUPANT.
- .2 The number of carts required by each owner shall conform to the following minimum criteria:
- a) single-unit dwelling or 1 - 140 litre capacity cart per DWELLING UNIT
 - b) duplex dwelling or 1 - 140 litre capacity cart per DWELLING UNIT
 - c) semi-detached dwelling or 1 - 140 litre capacity cart per DWELLING UNIT
 - d) dwellings of 3 to 6 units or 1 - 140 litre capacity cart per DWELLING UNIT
 - e) dwellings having 6 units or Minimum carts and capacities greater to be determined by the **MJSB**.

VOLUME AND WEIGHT PERMITTED

9.0

- .1 COLLECTABLE WASTE placed for collection:
- a) Shall not exceed 140 kilograms (308 lbs) in total per DWELLING UNIT per collection day and no single item may weigh more than 25 kilograms (55 lbs).
 - b) Shall not exceed 4 cubic metres (5.2 cubic yards) in total volume per DWELLING UNIT per collection day, plus two (2) bulky waste items.

- c) No person shall place, or cause to be placed, more than one (1) WHEELED AERATED CART per any one DWELLING UNIT out for collection on any one-collection day and the total weight of the cart and its contents shall not exceed 120 kilograms (approx. 265 lbs.).
- d) No person shall place, or cause to be placed, more than one (1) NON-TRANSPARENT BAG per any one DWELLING UNIT out for collection on any one collection day.
- e) No person shall place, or cause to be placed, RESIDUAL WASTE out for collection on any one collection day in a “storage” container which is not a clear transparent bag, free from colour, in which its contents are not visible except for the one (1) NON-TRANSPARENT BAG as outlined elsewhere in this By-law.
- f) No person shall place, or cause to be placed, more than three (3) ELECTRONICS per anyone DWELLING UNIT out for collection on the annual ELECTRONICS collection day.

PLACEMENT OF CONTAINERS FOR COLLECTION

10.0

- .1 All COLLECTABLE WASTE to be collected by the MUNICIPALITY shall be accessible to the contractor within 3 metres (approx. 10 feet) of the curb or other such location as may be required from time to time, including one-sided collection, and placed in such a manner as to interfere as little as possible with pedestrian or vehicular traffic and snow removal.
- .2 a) Permanent containers or boxes for the storage of COLLECTABLE WASTE between collections shall:
 - i) be a solid container with a tight fitting cover. The container shall be a maximum height of 91 centimetres (3 feet) or shall provide a hinged front door. It shall be filled to a height not exceeding 5 centimetres (2 inches) below the top of the container. There shall be no loose SOLID WASTE stored in any container. The immediate vicinity of the container shall be kept neat and free of any SOLID WASTE;
 - ii) be maintained in good repair;
 - iii) not present a hazard to individuals or traffic;
 - iv) be located in such a manner as to not interfere with traffic or snow removal;
 - v) be appropriately located with respect to one-sided collection; and,
 - vi) lids shall be securely hinged, not have a self-locking latch and shall have a support to hold the lid open while the contents are being emptied.

- b) No WHEELED AERATED CART shall be stored inside a container or box, unless the cart can be wheeled out without lifting, or is removed from the container or box by the owner for collection.

RESPONSIBILITIES OF OWNERS AND OCCUPANTS

11.0

- .1 Every OWNER or OCCUPANT shall:
 - a) ensure that COLLECTABLE WASTE, ELECTRONICS and BULKY WASTE are placed for collection in accordance with this By-law;
 - b) clean up any type of SOLID WASTE which has escaped from its container;
 - c) store any waste refrigerator or freezer either inside an enclosed and locked building or with the doors of the refrigerator or freezer removed;
 - d) ensure the proper preparation of all SOLID WASTE in accordance with this By-law; and,
 - e) abide by all lawful directives of the MJSB with regard to the handling of SOLID WASTE materials.

REJECTION OF WASTE

12.0

- .1 Any type of SOLID WASTE which has been set out for collection is subject to inspection by the MJSB and any such SOLID WASTE found or deemed by same to be set out in violation of the requirements of this By-law may be rejected and not collected.
- .2 Any SOLID WASTE which is so rejected will have placed on it a Rejection Sticker indicating the reason or reasons for rejection and information as to how to rectify same or get direction to rectify the problem.
- .3 No person shall permit any rejected materials to remain at the collection placement spot after 12:01 a.m. on the day after collection.
- .4 Any rejected SOLID WASTE, as designated by a rejection sticker, shall remain the property of the OWNER.

TIME FOR REMOVAL OF CONTAINERS

13.0

- .1 No owner shall permit SOLID WASTE to remain in front of the said building and adjacent to or at the curb except between 5:00 p.m. on the day previous to collection and 12:01 a.m. on the day after collection.

- .2 SOLID WASTE placed for collection in a manner contrary to the provisions of this By-law shall not be collected and such SOLID WASTE shall be removed no later than 12:01 a.m. on the day after collection.

COMMERCIAL CONTAINERS

14.0

- .1 An OWNER of COMMERCIAL CONTAINERS shall ensure the COMMERCIAL CONTAINERS:
 - a) are sturdily constructed of weather-proof material and shall be water tight;
 - b) are inaccessible to pests, rodents, vermin, seagulls or animals; be equipped with a tight fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;
 - c) are kept in a clean manner;
 - d) are kept in a state of good repair;
 - e) have displayed thereon the name and telephone number of the owner of the container and the type of material to be deposited therein;
 - f) have displayed thereon the following message **“garbage”** or **“landfill”**, where institutional, commercial or industrial waste is to be deposited in the COMMERCIAL CONTAINER;
 - g) have displayed thereon the following message **“recyclables”**, where BLUE BAG RECYCLABLES are to be deposited in the COMMERCIAL CONTAINER;
 - h) have displayed thereon the following message **“paper or cardboard”**, where fibre RECYCLABLES are to be deposited in the COMMERCIAL CONTAINER; and,
 - i) have displayed thereon the following message **“organics”**, where ORGANIC MATERIALS are to be deposited in the COMMERCIAL CONTAINER.
- .2 An OWNER or OCCUPANT of any premises on which a COMMERCIAL CONTAINER is located shall not permit the COMMERCIAL CONTAINER to be loaded other than uniformly and ensure that no SOLID WASTE extends beyond the internal volume of the container.
- .3 An OWNER or OCCUPANT of any premises on which a COMMERCIAL CONTAINER is located:
 - a) shall place same only on a surface which is hard, level and weather-resistant;

- b) shall keep the area surrounding the container free from litter and waste; and
- c) shall cause the container to be emptied on a regular basis, as required.

HAULERS

15.0

- .1 All private collections of SOLID WASTE shall be undertaken in compliance with relevant Federal/Provincial/Municipal statutes and regulations.
- .2 All private collection vehicles shall:
 - a) be maintained in good condition and be properly manned and equipped to ensure safe collection of SOLID WASTE;
 - b) comply with the *Motor Vehicle Act* and any other regulations or legislation in effect from time to time;
 - c) be designed so as to prevent any contents (including liquids) from falling out, being spilled, or scattering from the vehicle whether in motion or not, as they enter the LRCRC front gates;
 - d) if used in the collection of more than one type of waste, be constructed to prevent cross-contamination between the various waste streams; and,
 - e) be equipped with a tailgate or other restraining device; and be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover SOLID WASTE while it is being transported.
- .3 All private collection of any SOLID WASTE shall be made directly to the private collection vehicle from the premises where the same was generated.
- .4 All SOLID WASTE collected through private collections, and which is to be delivered to the LRCRC, shall be in compliance with the Regulations promulgated by the operator of the LRCRC regarding acceptance and receipt of SOLID WASTE at the LRCRC.
- .5 In the event of any spillage, the vehicle operator shall be responsible for the clean-up, which shall be undertaken immediately.

ELECTRONICS

16.0

- .1 ELECTRONICS will be collected curbside once per year.
- .2 Every OWNER or OCCUPANT may also deliver ELECTRONICS to a recognized ELECTRONICS return collection facility in Nova Scotia for reuse and recycle.

HOUSEHOLD HAZARDOUS WASTE

17.0

- .1 Every OWNER or OCCUPANT shall store any HOUSEHOLD HAZARDOUS WASTE generated by same in a safe and secure manner and place and shall deliver same, as soon as is reasonably possible, to the HOUSEHOLD HAZARDOUS WASTE Depot (“**HHW Depot**”) at the LRCRC.
- .2 No person shall dispose of, or cause or permit the disposal of, HOUSEHOLD HAZARDOUS WASTE at any location within the MUNICIPALITY.

CONSTRUCTION OR DEMOLITION MATERIALS

18.0

- .1 Every OWNER or OCCUPANT shall deliver any CONSTRUCTION OR DEMOLITION WASTE – over and above those collected by the MUNICIPALITY – to the appropriate area or site within the LRCRC or an approved C&D debris disposal site.
- .2 No person shall dispose of CONSTRUCTION OR DEMOLITION MATERIALS by stockpiling, storing or any other method.

LUNENBURG REGIONAL COMMUNITY RECYCLING CENTRE

19.0

- .1 The MUNICIPALITY has designated, by resolution, the Lunenburg Regional Community Recycling Centre (“**LRCRC**”) as the receiving site for solid waste generated by its residents – within the restrictions as set in this By-law and other restrictions as set by the operator of LRCRC.
- .2 The operator or other authorized staff of the LRCRC may refuse to accept a load of SOLID WASTE for the following reasons:
 - a) the load is comprised of, or contains, SOLID WASTE other than the type of SOLID WASTE which the LRCRC has been approved to accept; or
 - b) it is a load for which a tipping fee has not yet been set or negotiated with the SOLID WASTE generator or hauler; or
 - c) it is a load for which a tipping fee has not yet been paid to the LRCRC; or
 - d) it is a load for which tipping fee payment arrangements satisfactory to the operator or authorized staff have not yet been made.
- .3 No person shall dispose of, or cause or permit the disposal of, any type of SOLID WASTE around or adjacent to the LRCRC in the following circumstances:

- a) when the LRCRC is not open and operational; or
 - b) after the operator or authorized staff of the LRCRC has refused to accept same.
- .4 All private collection vehicles shall:
- a) be equipped with a tailgate or other restraining device; and be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover SOLID WASTE while it is being transported from the LRCRC front gates to the scale house.

LEGAL and ILLEGAL DISPOSAL

20.0

- .1 With the exception of the placement of SOLID WASTE for collection in accordance with this By-law, the delivery of ELECTRONICS or HOUSEHOLD HAZARDOUS WASTES to depots or other disposals allowed for in this By-law, no person shall dispose of, or cause or permit the disposal of, SOLID WASTE, waste or UNACCEPTABLE WASTE at any location or manner in the MUNICIPALITY except as follows:
 - a) backyard composting carried out in such a manner as to not constitute a nuisance;
 - b) subject to Federal or Provincial law to the contrary, the disposal of waste trees, brush or portions thereof or other organic farm or forestry waste on privately-owned forest or farmland in such a manner as to not constitute a nuisance;
 - c) subject to Federal or Provincial law or other Municipal By-laws to the contrary, the disposal aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials as fill in such a manner as to not constitute a nuisance.
- .2 No person shall dispose of, or cause or permit the disposal of, any SOLID WASTE in a permanent container or box for storage of SOLID WASTE unless that person is, or has the permission of, the OWNER of said container or at a box or collection placement spot approved by the MUNICIPALITY for another OWNER or OCCUPANT.
- .3 No person shall dispose of, or cause or permit the disposal of, any UNACCEPTABLE WASTE or rejected SOLID WASTE in, at or near a permanent container or box for storage of SOLID WASTE or collection placement spot approved by the MUNICIPALITY for another OWNER or OCCUPANT.
- .4 No person shall dispose of, or cause or permit the disposal of, CONSTRUCTION OR DEMOLITION MATERIALS at any location other than at the LRCRC or an approved C&D debris disposal site.
- .5 Proof that any type of SOLID WASTE, which was disposed of in contravention of this By-law, originated from a particular person, from the residence of a particular person, from a particular premises, or from a particular vehicle (as defined by the Motor Vehicle Act of Nova Scotia), shall, in the absence of evidence convincing a court to the contrary, be

evidence sufficient for a court to infer that the said person – or the OWNER or current OCCUPANT of said residence or premises – or the owner of the vehicle - was the person who disposed of that SOLID WASTE, or a portion of same, or caused or permitted it to be disposed of.

GENERAL PROHIBITIONS

21.0

- .1 Where an OWNER or OCCUPANT properly places any authorized form of SOLID WASTE out for collection by the MUNICIPALITY'S contractor, the said SOLID WASTE becomes the property of the MUNICIPALITY and only authorized personnel are permitted to remove same; except under circumstances stated below of this By-law.
- .2 No person shall pick over, remove, collect, disturb or otherwise interfere with any type of SOLID WASTE or which has been placed out for collection.
- .3 The prohibitions in the above two sections do not apply to:
 - a) the person who placed the SOLID WASTE for collection; or
 - b) WOOD WASTE, METAL ITEMS and BULKY WASTE as is authorized to be placed for collection under this By-law. material, appliances or furniture; and any other materials placed out for BULKY WASTE collection. When removal of such materials is undertaken, remaining materials must be left in an orderly manner, which does not interfere with pedestrian or vehicular traffic.
- .4 No person shall dispose of any type of SOLID WASTE by the burning of same.
- .5 No person shall place any type of SOLID WASTE generated from outside the MUNICIPALITY for collection at a designated collection location for an OWNER within the MUNICIPALITY.
- .6 No OWNER or OCCUPANT shall permit or authorize the accumulation of SOLID WASTE on or around property including uncollected SOLID WASTE to remain on or around property other than in an approved storage container as outlined elsewhere in this By-law.

EXPORT OF SOLID WASTE

22.0

- .1 No person shall transport any type of SOLID WASTE generated within the MUNICIPALITY to any location other than the LRCRC site or outside the boundaries of the area served by the LRCRC but for the following exceptions:
 - a) CONSTRUCTION OR DEMOLITION MATERIALS to an approved C&D debris disposal site;

- b) “direct haul” of residual waste to Kaizer Meadow, an approved SOLID WASTE disposal site, only when authorized by the operator of LRCRC;
- c) ELECTRONICS which may be taken to a recognized electronics return collection facility in Nova Scotia; and,
- d) any other special arrangement authorized in writing by the operator of the LRCRC.

ENFORCEMENT AND PENALTIES

23.0

- .1 Any person who disposes of, or permits the disposal of, any SOLID WASTE including CONSTRUCTION OR DEMOLITION MATERIALS and/or RESIDUAL WASTE other than in accordance with this By-law is guilty of a summary offense and is liable, upon conviction, to a fine of not less than One Thousand (\$1,000.00) and not more than Five Thousand Dollars (\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.
- .2 Any person who violates any other provision of, or permits any other thing to be done in violation of, this By-law is guilty of a summary offense and is liable, upon conviction, to the following:
 - a) for a first offense, a fine of not less than Two Hundred and Fifty Dollars (\$250.00) and not more than One Thousand Dollars (\$1,000.00) and in default of payment thereof to a term of imprisonment not to exceed thirty (30) days;
 - b) for a second offense, a fine of not less than Three Hundred and Fifty Dollars (\$350.00) and not more than Two Thousand Dollars (\$2,000.00) and in default of payment thereof to a term of imprisonment not to exceed sixty (60) days; and,
 - c) for each subsequent offense, a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment thereof to a term of imprisonment not to exceed ninety (90) days.
- .3 Any person who obstructs or hinders any person in the performance of their duties under this By-law is guilty of a summary offense and is liable, upon conviction, to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.
- .4 Where a person is convicted of an offence under this By-law and the court is satisfied that, as a result of the commission of the offence, clean-up or site remediation costs were incurred, whether by the MJSB or by a person, the Court may order the offender to pay, in addition to all other fines and penalties, restitution to the MJSB or person in an amount equal to the said clean-up or remediation costs.
- .5 Pursuant to the provisions of the *Municipal Government Act*, in addition to a fine imposed

for violation of this By-law, a judge may order the imposition of a penalty in relation to any fee, cost, rate, toll or charge associated with the conduct that gave rise to the offence.

- .6 Pursuant to the provisions of the *Municipal Government Act*, in addition to a fine imposed for violation of this By-law, a judge may order compliance with this By-law within a specified time.
- .7 Each day that a person commits any offence under this By-law constitutes a separate offence.
- .8 Where a breach of this By-law is anticipated or is of a continuing nature, the MJSB may, pursuant to the provisions of the *Municipal Government Act*, apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order and the judge may make any order that the justice of the case requires.

ADMINISTRATIVE TICKETING

24.0

- .1 In lieu of prosecution under this By-law, the MJSB may issue to any person it believes, upon reasonable grounds, has committed an offence under this By-law a Notice of Alleged Violation allowing the person to whom it is directed to avoid possible prosecution by means of the voluntary payment of a sum of money.
- .2 Any person who receives A Notice of Alleged Violation in relation to this By-law and where the said Notice so provides, may pay a penalty in the amount of One Hundred Dollars (\$100.00) to the office of the MJSB provided that said payment is made within fourteen (14) days of the date of issuance of the Notice and said payment shall be in full satisfaction thereby releasing the person named from prosecution for the said alleged violation.
- .3 Nothing in this By-law requires the MJSB to issue a Notice of Alleged Violation in lieu of initiating a prosecution in relation to an alleged violation.

REPEAL

- 25.0 The Solid Waste Collection and Disposal By-law of the Municipality of the District of Lunenburg adopted by Municipal Council on February 19, 2014 and amended on June 24, 2014 is hereby repealed and replaced with this new By-law.

Annotation for Official By-law Book	Date of Adoption
Date of First Reading: Date of Advertisement:	
Date of Second Reading: *Date of Advertisement:	
Date of mailing to Minister a Certified copy of By-law:	
I certify that this " <i>Solid Waste Collection and Disposal By-law</i> " was adopted by Council and published as indicated above.	
_____ Sherry Conrad, Municipal Clerk	_____ Date
*Effective Date of the By-law unless otherwise specified in the By-law.	

Proposed

MUNICIPALITY OF LUNENBURG
A By-law Respecting
SOLID WASTE COLLECTION AND DISPOSAL

DEFINITIONS

- 1.0 Words used in this by-law shall take their meaning from their context and from dictionaries of the English (Canadian) language, except as follows:
- .1 **"BLUE BAG RECYCLABLES"** means glass jars and bottles, tins, aluminium cans, plastic bottles, rigid plastic containers, plastic bags, film stretch and pallet wrap, and milk and juice containers. Other materials may be identified, from time to time, by the MUNICIPALITY.
- .2 **"BRANCHES and LIMBS"** means branches, limbs and brush.
- .3 **"BOXBOARD"** means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items.
- .4 **"BULKY WASTE"** means large items including but not limited to: vacuum cleaners, upholstered furniture, wooden furniture, mattresses, box springs and porcelain bathroom items such as toilets and sinks.
- .5 **"CLEAN-UP WASTE"** means any solid waste excluding compostable materials, paper, household waste, blue bag recyclables, household hazardous waste and asphalt shingles, but including discarded appliances, metal items, white goods, wooden pallets, barrels (whether metal, plastic or wooden), artificial Christmas trees, car parts and furniture.
- .6 **"COLLECTABLE WASTE"** means those wastes which are eligible for collection, within the volume and other restrictions elsewhere in this by-law, on regularly-scheduled collection days and consists of the following categories:
- i) compostable materials (as defined herein);
 - ii) recyclables (as defined herein);
 - iii) residual waste (as defined herein);
 - iv) paper (as defined herein);
 - v) privacy bag (as defined herein). [amended July 10/14]
- .7 **"COMMERCIAL CONTAINER"** means any container used for the storage of properly sorted solid waste excluding household hazardous waste generated from multi-residential, institutional, commercial, industrial or other premises within the Municipality which waste exceeds the maximums or is outside the types of waste allowed on regular or special collection days as outlined elsewhere in this bylaw and which container is designed to be emptied by, and the waste transported by, a hauler.
- .8 **"COMPOSTABLE MATERIALS"** means vegetable peelings, dairy products, meat, fish and shellfish, egg shells, bones, waste food products, coffee grounds and filters, grass trimmings, leaves, garden waste, ashes or soot, soiled and wet paper, table napkins, paper towels, pizza boxes, household cooking oil, household grease and fat, BRANCHES and LIMBS, untreated wood sawdust, wood chips and wood shavings. Other materials may be identified, from time to time, by the Municipality.

- .9 **"CONSTRUCTION OR DEMOLITION MATERIALS"** means left-over material generated as a result of any form of construction or renovation and materials generated from demolition activity including but not limited to: asphalt, brick, mortar, polystyrene or fibreglass insulation, cellulose, drywall, plaster, shingles, metal and scrap wood – regardless of whether such left-over material is regulated by the Province of Nova Scotia or meets the definition of "C & D Debris" in the N.S.E. 1997 Guidelines for same.
- .10 **"COUNCIL"** means the council of the Municipality of the District of Lunenburg.
- .11 **"CURB"** means that portion of the public road right-of-way between the travelled portion or parking area and the property line, which parallels the street centre line.
- .12 **"DISPOSE"** means any form of disposal of any material, including solid waste as defined herein: deposit, storage, placement, burning or burial regardless of whether or not the material being, or having been, deposited, stored or placed is in a box, bin, container, barrel, or any other containment device.
- .13 **"DESIGNATED ELECTRONIC PRODUCTS"** means designated electronic products as described in the Electronic Products Stewardship Program pursuant to the Solid Waste-Resource Management Regulations made under Sec.102 of the *Environment Act* of Nova Scotia.
- .14 **"DWELLING UNIT"** means a room or series of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- .15 **"ELIGIBLE PREMISES"** means those properties within the Municipality, which are eligible for collection services - up to the maximum restrictions, outlined elsewhere in this by-law – and includes all properties in the Municipality including properties located on private roads.
- .16 **"HAULER"** means any company or person who transports solid waste within the Municipality or within the boundaries of the municipal member units of the LRCRC (defined herein).
- .17 **"HOUSEHOLD HAZARDOUS WASTE"** means any corrosive, flammable or poisonous material or substance such as oil and oil products, radioactive materials, acids, poisons, insecticides or other poisons used for agricultural purposes or for rodent control, any substance or chemical highly lethal to mammalian or aquatic life and any substance or chemical dangerous to the environment – including but not limited to: batteries, left-over liquid paint, left-over corrosive cleaners, pesticides or herbicides, gasoline, fuel oil and used motor oil, solvents and thinners, pharmaceuticals, drugs and needles, aerosol cans, BBQ propane tanks and small propane cylinders or canisters such as those used for camp stoves or propane torches and marine flares. [amended July 10/14]
- .18 **"LRCRC"** means the Lunenburg Regional Community Recycling Centre which is a solid waste management facility and is located at 908 Mullock Road, Whynot's Settlement and its designated operator or its successor should there be a name change.
- .19 **"METAL ITEMS"** means medium to large metal items including metal fencing, water tanks, oil tanks – subject to special requirements elsewhere in this bylaw – and metal containers other than containers designed to hold either household hazardous waste (as defined herein) or anything intended for human

- consumption.
- .20 **"MUNICIPALITY"** means the Municipality of the District of Lunenburg.;
- .21 **"MUNICIPAL ENGINEER"** means the Director of Engineering and Public Works or his accredited representatives.
- .22 **"NATURAL CHRISTMAS TREE WASTE"** means discarded non-artificial Christmas trees.
- .23 **"N.S.E."** means that department of the Nova Scotia Provincial Government currently called "Nova Scotia Environment" or its successor provincial department should there be a name change.
- .24 **"OCCUPANT"** means any person who, in addition to or instead of the owner, resides in or is the lessee of, whether by way of verbal or written lease or other arrangement, a building or on a property located within the Municipality and includes any assignee or legal representative of same.
- .25 **"ONE-SIDED COLLECTION"** means collection of solid waste from only one side of a Public Highway.
- .26 **"OWNER"** means to the owner of property and includes a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building and, in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building; and, in the absence of proof to the contrary, the person assessed for the property.
- .27 **"PAPER"** means newspapers, flyers, magazines, catalogues, boxboard, flattened corrugated cardboard, bond paper, computer paper, hard cover books (covers removed), telephone and other soft cover books, file folders – both traditional and expandable, envelopes (other than padded or bubbled envelopes), non-metallic wrapping paper and paper egg cartons, Third Class Mail and other materials as are identified, from time to time, by the Municipality.
- .28 **"PRIVACY BAG"** means residual waste which has been placed for collection subject to special requirements elsewhere in this by-law; [amended July 10/14]
- .29 **"RESIDUAL WASTE"** means broken bottles, crockery and glassware – subject to special requirements elsewhere in this bylaw – and floor sweepings, pet litter, light bulbs, disposable diapers, hygiene items, discarded clothing and furnishings, broken toys, mats and small carpets, non-recyclable plastic, non-recyclable packaging including Styrofoam™ and padded or bubbled envelopes, metallic wrapping paper, non-passenger tires, non-repairable household goods and other household waste.
- .30 **"SOLID WASTE"** means compostable materials, blue bag recyclables, paper, household waste, clean-up waste, construction or demolition materials, household hazardous waste, and residual waste – all as defined herein – and any other waste or discarded tangible personal property.
- .31 **"UNACCEPTABLE WASTE"** means all material other than solid waste or clean-up waste and, without limiting the generality of the foregoing, includes:

- i) highly combustible or explosive materials including, without limiting, flares, fireworks, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, ammunition, dynamite, or other similar material;
- ii) materials that are considered pathogenic or biomedical including, without limiting, dressings, bandages or other infected materials or sharps discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
- iii) a whole or part carcasses of domestic ruminants, including cattle;
- iv) waste listed or characterized as hazardous by any Federal or Provincial law – other than household hazardous waste as defined herein;
- v) designated electronic products;
- vi) solid waste generated, or originating from, outside the Municipality without prior approval;
- vii) liquid waste or material that has attained a fluid consistency and has not been drained;
- viii) soil, rock and stumps;
- ix) construction or demolition materials (as defined herein) – other than the exception as allowed under the definition of "clean-up waste" in this bylaw;
- x) septic tank pumpings, raw sewage or industrial sludge;
- xi) radioactive materials;
- xii) contaminated soil;
- xiii) all passenger tires up to 24.5 inches as per the Tire Management Program with the Resource Recovery Fund Board of Nova Scotia;
- xiv) industrial waste from factories or manufacturing processes;
- xv) manure, kennel waste, excreta, fish processing waste;
- xvi) lead-acid automotive batteries and propane tanks;
- xvii) waste which has been placed for collection but not in accordance with the provisions of this bylaw; and
- xviii) materials banned from landfill disposal by the N.S.E. *Regulations Respecting Solid Waste-Resource Management, November, 1995, as amended – other than recyclable materials or organic materials from eligible premises.*

- .32 "WHEELED AERATED CART" shall be of either 140 litre capacity, 240 litre capacity or other municipally approved capacity, and manufactured by SSI Schaefer or Municipality approved equivalent.
- .33 "WHITE GOODS" means any large household appliance including but not limited to stoves, dishwashers, washers, dryers, hot water heaters, refrigerators, freezers, dehumidifiers, and air conditioners – the last four (4) being subject to special requirements elsewhere in this bylaw.

COLLECTION

2.0 Collection of solid waste shall be as follows:

- .1 A collection for residual waste, compostable materials, blue bag recyclables and paper shall be made at least once in every fourteen (14) days, commencing at the hour of seven o'clock in the forenoon (7:00 a.m.), provided, however, that when a holiday occurs, as indicated on the collection calendar, on a collection day, such collections shall be made on the following Saturday, unless otherwise specified by the Municipal Engineer.
- .2 Collection shall include all properties in the municipality which abut a public listed and maintained road, which generate for disposal, quantities of solid waste not exceeding the limits specified in section 7.0.
- .3 Where a property does not abut a public listed and maintained road, and in areas of private roads where the owner has a long driveway, on island or in other circumstances where conventional collection may be impractical, the owner may transport eligible solid waste to the nearest public listed and maintained road for collection.
- .4 Collection of clean-up waste shall be at least once in the spring and once in the fall of each year, the exact date of which shall be specified by the Municipal Engineer.
- .5 Collection of properly-prepared natural Christmas trees, per restrictions noted elsewhere in this by-law, shall take place annually in the month of January on a date to be specified by the Municipal Engineer.
- .6 For the purpose of Section 2, the schedule of, and exact dates for, collection shall be published in a calendar distributed to owners - which will also be posted on-line – and any other collection dates will be published in a local newspaper and/or advertised on a local radio station.

REQUIREMENTS TO STORE AND DISPOSE OF SOLID WASTE

3.0

- .1 Every owner shall:
- a) Provide containers for solid waste storage.
- b) All collectable waste to be collected by the Municipality shall be accessible to the contractor within 3 metres (approximately 10 feet) of the curb, placed in such a manner as to not interfere with pedestrian traffic and snow removal.

- c) Maintain all containers that are not disposable in good repair and in sanitary condition.
- d) Place collectable waste for collection only in containers of the type and meeting the standards set forth in Section 4.
- e) Be responsible for the disposal of solid waste generated from his property, including solid waste generated by occupants having use of the property.

STORAGE FOR SOLID WASTE COLLECTION

4.0

- .1 For the purpose of this Section, containers for solid waste "Storage" shall mean the following:
- a) For blue bag recyclables:
- i) Securely tied, blue-tinted transparent plastic waterproof bags of a dimension no smaller than 25 centimetres by 40 centimetres (10 by 16 inches), nor greater than 76 centimetres by 122 centimetres (30 by 48 inches), and shall not exceed a weight of 25 kilograms (55 lbs). All materials must be clean.
- b) For paper:
- i) Placed in plastic, clear and transparent or low-density polyethylene opaque waterproof bags (shopping bags), securely tied, of a dimension no smaller than 25 centimetres by 40 centimetres (10 by 16 inches); nor greater than 76 centimetres by 122 centimetres (30 by 48 inches) and shall not exceed a weight of 25 kilograms (55 lbs.) per bag.
- c) For compostable materials
- i) wheeled aerated cart;
- ii) for leaves only, plastic, clear and transparent, waterproof bags, securely tied or paper bags, of a dimension no smaller than 66 centimetres by 91 centimetres (26 by 36 inches) nor greater than 76 centimetres by 122 centimetres (30 by 48 inches) and shall not exceed a weight of 25 kilograms (55 lbs.) per bag; and,
- iii) for leaves only, a maximum of three (3) bags per collection. This maximum increases to four (4) bags if no wheeled aerated cart is put out that day.
- d) For Christmas tree waste
- i) Cut into pieces and placed into the wheeled aerated cart; or
- ii) shall be bundled and tied, and shall not exceed 0.9 metres (36 inches) in length; and
- iii) shall not have decorations, ornaments, wire or nails attached; and
- iv) weigh not more than 25 kilograms (55 lbs) per bundle.
- e) For branches and limbs

- i) Cut into pieces and placed into the wheeled aerated cart; or
 - ii) shall be bundled and tied; and
 - iii) shall not have any wire or nails attached; and
 - iv) weigh not more than 25 kilograms (55 lbs) per bundle; and
 - v) individual pieces shall not be more than 50 mm (2 inches) in diameter; and
 - vi) be less than 0.9 meters (36 inches) in length.
- f) For residual waste (all other waste):
- i) Water tight metal or plastic cans:
 - 1) equipped with a tight fitting cover of metal, plastic or other impermeable material; and
 - 2) equipped with handles; and
 - 3) filled to a height not exceeding 5 centimetres (2 inches) below the top of the container; and
 - 4) shall not exceed a weight of 25 kilograms (55 lbs); and
 - 5) shall not exceed a volume of 100 litres, and shall not include cardboard drums, oil drums, paint containers or lard containers; or
 - ii) Placed in plastic, single use, waterproof, clear transparent bags, free from colour, of a dimension no smaller than 66 centimetres by 91 centimetres, (26 by 36 inches) nor greater than 76 centimetres by 122 centimetres (30 by 48 inches), and shall not exceed a weight of 25 kilograms (55 lbs). [amended July 10/14]
- g) For privacy bag
- i) Placed in a plastic, single use, waterproof opaque bag with a dimension no smaller than 66 centimetres by 91 centimeters (26 by 36 inches) nor greater than 76 centimeters by 122 centimeters (30 by 48 inches) and shall not exceed a weight of 25 kilograms (55lbs). [amended July 10/14]
- .2 Items placed for CLEAN-UP WASTE COLLECTION:
- a) Shall be packaged/bundled/boxed in such a manner so as to allow for pick-up and collection, and not include any compostable materials, blue bag recyclables, paper, household waste or natural Christmas trees;
 - b) an oil tank is eligible for clean-up waste collection only if it is from a residence, does not exceed

- 910 litres (200 gallons) in capacity and has been cleaned and cut in half;
- c) a refrigerator, freezer, dehumidifier or air conditioner shall display a sticker, issued by the appropriate authority, indicating that any Freon, other refrigerant gas, coolant or chlorofluorocarbon (CFC) has been removed and any refrigerator or freezer shall have its doors already removed; and,
- d) No person shall place, or caused to be placed, clean-up waste consisting of small quantities of construction or demolition materials – and all other clean-up waste including oil tanks, metal fencing, bulky waste, barrels, pallets and white goods – out for collection except on a day designated by the municipal engineer for collection of same and in accordance with the following restrictions:
 - i) such waste shall be packaged, bundled or boxed so as to facilitate removal and handling;
 - ii) any scrap wood shall be placed separately during the day designated by the Municipal Engineer for clean-up collection;
 - iii) scrap wood shall not exceed 4 cubic metre (5.2 cubic yards) per clean-up collection;
 - iv) bulky residual waste and metal items shall be placed together during the day designated by the Municipal Engineer for clean-up collection and shall not exceed 4 cubic metres (5.2 cubic yards) per clean up collection;
 - v) each individual package, bundle or box shall not exceed 140 kgs (308 lbs) in weight; and,
 - vi) each individual package, bundle or box shall not exceed 1.8 m (6 feet) in any dimension.

PREPARATION OF SPECIFIC WASTES

5.0

- .1 a) For BROKEN BOTTLES, CROCKERY OR GLASSWARE
 - i) Broken bottles, crockery and glassware shall be sealed in a box or a bucket and clearly identified– by noting, in large capital letters, on the outside of the bundle the words "broken glass" – a warning to the contractor.
- b) For ASHES OR SOOT
 - i) Ashes or soot shall be completely cooled for a minimum of four (4) weeks, then wetted down before depositing in the wheeled aerated cart.
- c) For NATURAL CHRISTMAS TREES
 - i) It is to be unpackaged and undecorated, including the removal of all lights and any tree stand;

- ii) shall not exceed 3 m (approx. 10 ft) in length;
 - iii) no person shall place, or cause to be placed, any natural Christmas tree out for collection before 5:00 p.m. of the day immediately preceding the day designated for collection of same;
 - iv) no person shall place, or cause to be placed, any natural Christmas tree out for collection after 7:00 a.m. of the day designated for collection of same;
 - v) each single-unit building shall place two natural Christmas trees for collection;
 - vi) each multi-unit building shall place one natural Christmas tree per unit, plus one additional natural Christmas tree for collection; and,
 - vii) commercial natural Christmas tree producers may not place unsold trees for collection.
- d) For CARDBOARD
- i) for cardboard only, flattened, securely tied bundles, of dimension no greater than 91 centimetres (36 inches) by 61 centimetres (24 inches) by 61 centimetres (24 inches) and shall not exceed a weight of 25 kilograms (55 lbs.) per bundle.

WHEELED AERATED CARTS

6.0

- .1 Every owner shall:
 - a) use only a wheeled aerated cart for the storage of compostable materials for collection, except as otherwise permitted in clauses 4 1(c) and (d);
 - b) maintain the wheeled aerated cart in good repair and sanitary condition; and,
 - c) wheeled aerated carts must remain on the property parcel for which it was assigned in accordance with the Municipality's policy md-44. The freely distributed wheeled aerated cart shall remain on the property when a householder sells a property. Care and use will be the responsibility of the householder or occupant.
- .2 The number of carts required by each owner shall conform to the following minimum criteria:
 - a) single-unit dwelling 1 - 140 litre capacity cart per dwelling unit
or
 - b) duplex dwelling 1 - 140 litre capacity cart per dwelling unit
or
 - c) semi-detached dwelling 1 - 140 litre capacity cart per dwelling unit
or

- d) dwellings of 3 to 6 units 1 - 140 litre capacity cart per dwelling unit
or
- e) dwellings having 6 units or Minimum carts and capacities greater to be determined by
Municipal Engineer.

VOLUME AND WEIGHT PERMITTED

7.0

- .1 Collectable waste placed for collection:
 - a) Shall not exceed 140 kilograms (308 lbs) in total per dwelling unit per collection day and no single item may weigh more than 25 kilograms (55 lbs);
 - b) Shall not exceed 4 cubic metres (5.2 cubic yards) in total volume per dwelling unit per collection day; and,
 - c) No person shall place, or cause to be placed, more than one (1) wheeled aerated cart per any one dwelling unit out for collection on any one-collection day and the total weight of the cart and its contents shall not exceed 120 kilograms (approx. 265 lbs.).
 - d) No person shall place, or cause to be placed, more than one (1) privacy bag per any one dwelling unit out for collection on any one collection day. [amended July 10/14]
 - e) No person shall place, or cause to be placed, residual waste out for collection on any one collection day in a "storage" container which is not a clear transparent bag, free from colour, in which its contents are not visible except for the one (1) privacy bag as outlined elsewhere in this bylaw. [amended July 10/14]
- .2 Clean-up waste individual pieces shall not exceed 140 kilograms (308 lbs) in weight or over 1.8 metres (72 inches) in any dimension up to a maximum of 4 cubic metres (5.2 cubic yards) per dwelling unit per collection day.

PLACEMENT OF CONTAINERS FOR COLLECTION

8.0

- .1 All collectable waste to be collected by the Municipality shall be accessible to the contractor within 3 metres (approx. 10 feet) of the curb or other such location as may be required from time to time, including one-sided collection, and placed in such a manner as to interfere as little as possible with pedestrian or vehicular traffic and snow removal.
- .2 a) Permanent containers or boxes for the storage of collectable waste between collections shall:
 - i) be a solid container with a tight fitting cover. The container shall be a maximum height of 91 centimetres (3 feet), or shall provide a hinged front door. It shall be filled to a height not exceeding 5 centimetres (2 inches) below the top of the container. There shall be no loose solid waste stored in any container. The immediate vicinity of the container shall be kept neat and free of any solid waste;

- ii) be maintained in good repair;
 - iii) not present a hazard to individuals or traffic;
 - iv) be located in such a manner as to not interfere with traffic or snow removal;
 - v) be appropriately located with respect to one-sided collection; and,
 - vi) lids shall be securely hinged, not have a self-locking latch and shall have a support to hold the lid open while the contents are being emptied.
- b) No wheeled aerated cart shall be stored inside a container or box, unless the cart can be wheeled out without lifting, or is removed from the container or box by the owner for collection.

RESPONSIBILITIES OF OWNERS AND OCCUPANTS

9.0

- .1
- a) Ensure that collectable waste and clean-up waste are placed for collection in accordance with this by-law;
 - b) clean up any type of solid waste which has escaped from its container;
 - c) store any waste refrigerator or freezer either inside an enclosed and locked building or with the doors of the refrigerator or freezer removed;
 - d) ensure the proper preparation of all solid waste in accordance with this by-law; and
 - e) abide by all lawful directives of the Municipality, or designated agents with regard to the handling of solid waste materials.

REJECTION OF WASTE

10.0

- .1 Any type of solid waste which has been set out for collection is subject to inspection by the Municipality, or its designated agent and any such solid waste found or deemed by same to be set out in violation of the requirements of this by-law may be rejected and not collected.
- .2 Any solid waste which is so rejected will have placed on it a Rejection Sticker indicating the reason or reasons for rejection and information as to how to rectify same or get direction to rectify the problem.
- .3 No person shall permit any rejected materials to remain at the collection placement spot after 12:01 a.m. on the day after collection.
- .4 Any rejected solid waste, as designated by a rejection sticker, shall remain the property of the owner.

TIME FOR REMOVAL OF CONTAINERS

11.0

- .1 No owner shall permit solid waste to remain in front of the said building and adjacent to or at the curb except between 5:00 p.m. on the day previous to collection and 12:01 a.m. on the day after collection.
- .2 Solid waste placed for collection in a manner contrary to the provisions of this by-law shall not be collected and such solid waste shall be removed no later than 12:01 a.m. on the day after collection.
- .3 Notwithstanding subsections 11.1 and 11.2, solid waste set out during scheduled collection as fall and spring clean-up waste may be placed for collection no more than 4 calendar days prior to the owner's regular date of collection.

COMMERCIAL CONTAINERS

12.0

- .1 Commercial containers shall:
 - a) be sturdily constructed of weather-proof material and shall be water tight;
 - b) be inaccessible to pests, rodents, vermin, seagulls or animals; be equipped with a tight fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;
 - c) be kept in a clean manner;
 - d) be kept in a state of good repair;
 - e) have displayed thereon the name and telephone number of the owner of the container and the type of material to be deposited therein;
 - f) have displayed thereon the following message "garbage" or "landfill", where institutional, commercial or industrial waste is to be deposited in the commercial container;
 - g) have displayed thereon the following message "recyclables", where blue bag recyclables are to be deposited in the commercial container;
 - h) have displayed thereon the following message "paper or cardboard", where fibre recyclables are to be deposited in the commercial container; and,
 - i) have displayed thereon the following message "organics", where organic materials are to be deposited in the commercial container.
- .2 An owner or occupant of any premises on which a commercial container is located shall not permit the commercial container to be loaded other than uniformly and ensure that no solid waste extends beyond the internal volume of the container.

- .3 An owner or occupant of any premises on which a commercial container is located:
 - a) shall place same only on a surface which is hard, level and weather-resistant;
 - b) shall keep the area surrounding the container free from litter and waste; and
 - c) shall cause the container to be emptied on a regular basis, as required.

HAULERS

13.0

- .1 All private collections of solid waste shall be undertaken in compliance with relevant Federal/Provincial/Municipal statutes and regulations.
- .2 All private collection vehicles shall:
 - a) be maintained in good condition and be properly manned and equipped to ensure safe collection of solid waste;
 - b) comply with the *Motor Vehicle Act* and any other regulations or legislation in effect from time to time;
 - c) be designed so as to prevent any contents (including liquids) from falling out, being spilled, or scattering from the vehicle whether in motion or not, as they enter the LRCRC front gates;
 - d) if used in the collection of more than one type of waste, be constructed to prevent cross-contamination between the various waste streams;
 - e) be equipped with a tailgate or other restraining device; and be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover solid waste while it is being transported.
- .3 All private collection of any solid waste shall be made directly to the private collection vehicle from the premises where the same was generated.
- .4 all solid waste collected through private collections, and which is to be delivered to the LRCRC, shall be in compliance with the Regulations promulgated by the operator of the LRCRC regarding acceptance and receipt of solid waste at the LRCRC.
- .5 In the event of any spillage, the vehicle operator shall be responsible for the clean-up, which shall be undertaken immediately.

DESIGNATED ELECTRONIC PRODUCTS

14.0

- .1 No person shall place designated electronic products out for collection.
- .2 Every owner or occupant may deliver designated electronic products to a recognized electronics return

collection facility in Nova Scotia for reuse and recycle.

HOUSEHOLD HAZARDOUS WASTE

15.0

- .1 Every owner or occupant shall store any household hazardous waste generated by same in a safe and secure manner and place and shall deliver same, as soon as is reasonably possible, to the Household Hazardous Waste Depot ("HHW Depot") at the LRCRC.
- .2 No person shall dispose of, or cause or permit the disposal of, household hazardous waste at any location within the Municipality.

CONSTRUCTION OR DEMOLITION MATERIALS

16.0

- .1 Every owner or occupant shall deliver any construction or demolition materials – over and above those collected by the Municipality – to the appropriate area or site within the LRCRC or an approved C&D debris disposal site.
- .2 No person shall dispose of construction or demolition materials by stock-piling, storing or any other method.

LUNENBURG REGIONAL COMMUNITY RECYCLING CENTRE

17.0

- .1 The Municipality has designated, by resolution, the Lunenburg Regional Community Recycling Centre ("LRCRC") as the receiving site for solid waste generated by its residents – within the restrictions as set in this by-law and other restrictions as set by the operator of LRCRC.
- .2 The operator or other authorized staff of the LRCRC may refuse to accept a load of solid waste for the following reasons:
 - a) The load is comprised of, or contains, solid waste other than the type of solid waste which the LRCRC has been approved to accept; or
 - b) It is a load for which a tipping fee has not yet been set or negotiated with the solid waste generator or hauler; or
 - c) It is a load for which a tipping fee has not yet been paid to the LRCRC; or
 - d) It is a load for which tipping fee payment arrangements satisfactory to the operator or authorized staff have not yet been made.
- .3 No person shall dispose of, or cause or permit the disposal of, any type of solid waste around or adjacent to the LRCRC in the following circumstances:
 - a) when the LRCRC is not open and operational; or
 - b) after the operator or authorized staff of the LRCRC has refused to accept same.

- .4 All private collection vehicles shall:
- a) be equipped with a tailgate or other restraining device; and be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover solid waste while it is being transported from the LRCRC front gates to the scale house.

LEGAL and ILLEGAL DISPOSAL

18.0

- .1 With the exception of the placement of solid waste for collection in accordance with this by-law, the delivery of designated electronic products or household hazardous wastes to depots or other disposals allowed for in this by-law, no person shall dispose of, or cause or permit the disposal of, solid waste, clean up waste or unacceptable waste at any location or manner in the Municipality except as follows:
 - a) backyard composting carried out in such a manner as to not constitute a nuisance;
 - b) subject to Federal or Provincial law to the contrary, the disposal of waste trees, brush or portions thereof or other organic farm or forestry waste on privately-owned forest or farm land in such a manner as to not constitute a nuisance;
 - c) subject to Federal or Provincial law or other Municipal By-laws to the contrary, the disposal aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials as fill in such a manner as to not constitute a nuisance.
- .2 No person shall dispose of, or cause or permit the disposal of, any solid waste in a permanent container or box for storage of solid waste unless that person is, or has the permission of, the owner of said container or at a box or collection placement spot approved by the Municipality for another owner or occupant.
- .3 no person shall dispose of, or cause or permit the disposal of, any unacceptable waste or rejected solid waste in, at or near a permanent container or box for storage of solid waste or collection placement spot approved by the Municipality for another owner or occupant.
- .4 No person shall dispose of, or cause or permit the disposal of, construction or demolition materials at any location other than at the LRCRC or an approved C&D debris disposal site.
- .5 Proof that any type of solid waste, which was disposed of in contravention of this by-law, originated from a particular person, from the residence of a particular person, or from a particular premises shall, in the absence of evidence convincing a court to the contrary, be evidence sufficient for a court to infer that the said person – or the owner or current occupant of said residence or premises—was the person who disposed of that solid waste, or a portion of same, or caused or permitted it to be disposed of.

GENERAL PROHIBITIONS

19.0

- .1 Where an owner or occupant properly places any authorized form of solid waste out for collection by the Municipality's contractor, the said solid waste becomes the property of the Municipality and only authorized personnel are permitted to remove same; except under circumstances stated below of this by-law.

- .2 No person shall pick over, remove, collect, disturb or otherwise interfere with any type of solid waste or which has been placed out for collection.
- .3 The prohibitions in the above two sections do not apply to:
 - a) the person who placed the solid waste for collection; or
 - b) waste wood material, appliances or furniture; and any other materials placed out for clean-up waste collection. When removal of such materials is undertaken, remaining materials must be left in an orderly manner, which does not interfere with pedestrian or vehicular traffic.
- .4 No person shall dispose of any type of solid waste by the burning of same.
- .5 No person shall place any type of solid waste generated from outside the Municipality for collection at a designated collection location for an owner within the Municipality.

EXPORT OF SOLID WASTE

20.0

- .1 No person shall transport any type of solid waste generated within the Municipality to any location other than the LRCRC site or outside the boundaries of the area served by the LRCRC but for the following exceptions:
 - a) construction or demolition materials to an approved C&D debris disposal site;
 - b) "direct haul" of residual waste to Kaizer Meadow, an approved solid waste disposal site, only when authorized by the operator of LRCRC;
 - c) designated electronic products which may be taken to a recognized electronics return collection facility in Nova Scotia; and
 - d) any other special arrangement authorized in writing by the operator of the LRCRC.

ENFORCEMENT AND PENALTIES

21.0

- .1 Any person who disposes of, or permits the disposal of, any solid waste including construction or demolition materials and/or residual waste –other than in accordance with this bylaw is guilty of a summary offense and is liable, upon conviction, to a fine of not less than One Thousand (\$1,000.00) and not more than Five Thousand Dollars (\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.
- .2 Any person who violates any other provision of, or permits any other thing to be done in violation of, this by-law is guilty of a summary offense and is liable, upon conviction, to the following:
 - a) for a first offense, a fine of not less than Two Hundred and Fifty Dollars (\$250.00) and not more than One Thousand Dollars (\$1,000.00) and in default of payment thereof to a term of

- imprisonment not to exceed thirty (30) days;
 - b) for a second offense, a fine of not less than Three Hundred and Fifty Dollars (\$350.00) and not more than Two Thousand Dollars (\$2,000.00) and in default of payment thereof to a term of imprisonment not to exceed sixty (60) days; and,
 - c) for each subsequent offense, a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment thereof to a term of imprisonment not to exceed ninety (90) days.
- .3 Any person who obstructs or hinders any person in the performance of their duties under this bylaw is guilty of a summary offense and is liable, upon conviction, to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.
 - .4 Where a person is convicted of an offence under this by-law and the court is satisfied that, as a result of the commission of the offence, clean-up or site remediation costs were incurred, whether by the Municipality or by a person, the Court may order the offender to pay, in addition to all other fines and penalties, restitution to the Municipality or person in an amount equal to the said clean-up or remediation costs.
 - .5 Pursuant to the provisions of the *Municipal Government Act*, in addition to a fine imposed for violation of this by-law, a judge may order the imposition of a penalty in relation to any fee, cost, rate, toll or charge associated with the conduct that gave rise to the offence.
 - .6 Pursuant to the provisions of the *Municipal Government Act*, in addition to a fine imposed for violation of this by-law, a judge may order compliance with this by-law within a specified time.
 - .7 Each day that a person commits any offence under this by-law constitutes a separate offence.
 - .8 Where a breach of this by-law is anticipated or is of a continuing nature, the Municipality may, pursuant to the provisions of the *Municipal Government Act*, apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order and the judge may make any order that the justice of the case requires.

ADMINISTRATIVE TICKETING

22.0

- .1 In lieu of prosecution under this by-law, the Municipality or its designated agent may issue to any person it believes, upon reasonable grounds, has committed an offence under this by-law a Notice of Alleged Violation allowing the person to whom it is directed to avoid possible prosecution by means of the voluntary payment of a sum of money.
- .2 Any person who receives A Notice of Alleged Violation in relation to this bylaw and where the said Notice so provides, may pay a penalty in the amount of One Hundred Dollars (\$100.00) to the office of the Municipal Clerk provided that said payment is made within fourteen (14) days of the date of issuance of the Notice and said payment shall be in full satisfaction thereby releasing the person named from prosecution for the said alleged violation.

- .3 Nothing in this by-law requires the Municipality to issue a Notice of Alleged Violation in lieu of initiating a prosecution in relation to an alleged violation.

REPEAL

23.0 The Solid Waste Collection and Disposal Bylaw of the Municipality of the District of Lunenburg passed by resolution of Municipal Council on the 21st day of December 1999, was repealed and replaced on February 19, 2014 with the new Solid Waste Collection and Disposal By-law.

Annotation for Official By-law Book	Date of Adoption February 19, 2014
Date of First Reading:	<u>May 27, 2014</u>
Date of Advertisement - Notice of Intention to Amend:	<u>June 04, 2014</u>
Date of Second Reading:	<u>June 24, 2014</u>
*Date of Advertisement of Amendments to By-law:	<u>July 2, 2014</u>
Date of mailing to Minister a Certified copy of By-law:	<u>July 10, 2014</u>
I certify that this "Solid Waste Collection and Disposal By-law" was adopted by Council and published as indicated above.	
_____	_____
April Whynot-Lohnes, Municipal Clerk	Date
*Effective Date of the By-law unless otherwise specified in the By-law.	



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: Municipal Council

SUBMITTED BY: Tissy Bolivar, Acting Director of Recreation Services
Jason McCarthy, Parks Supervisor

DATE: February 25, 2020

RE: RFQ Award: 2019-05-306 - 2019/2020 ¾ Ton Truck

RECOMMENDATION

The Municipal Council award RFQ 2019-05-306 - ¾ Ton Truck to Pothier Motors Ltd., in the amount of \$55,013.96 +HST.

EXECUTIVE SUMMARY

As per the 2019/2020 Capital Budget, recreation staff obtained quotes for a ¾ ton truck to replace the park staff truck with dump box insert.

With no quotes received through the provincial standing offer, an RFQ was issued with two quotes received; Bruce Ford Sales and Pothier Motors Ltd., both within the budget, meeting all requirements and both located in the Annapolis Valley. No local submissions were received.

Based on the associated costs, delivery timelines and overall specs, staff are recommending awarding the purchase to Pothier Motors Ltd.

BACKGROUND

As part of the standard procurement process for the Municipality, an Invitation to Quote was issued on November 25, 2019 as per the Request for Supplier Qualification for Purchase and Lease of Light Duty Vehicles for the Province of Nova Scotia. On December 19, 2019, the deadline closed with no quotes received. An RFQ was then issued with a closing date of February 14, 2020. An addendum was issued on February 4, 2020. Two quotes were received by the closing time; one from Pothier Motors Ltd., and one from Bruce Ford Sales.

Bidder	Compliant vehicle available	Price (before HST)
Pothier Motors Ltd	Yes	\$55,014
Bruce Ford Sales	Yes	\$57,389

Although both respondents are in the Annapolis Valley, Pothier Motors Ltd., indicates that warranty and service can be carried out at any local Chrysler dealership. This will eliminate travel to have work completed in the valley.

The truck that Pothier Motors Ltd., has quoted is an in-stock 2019 RAM 3500 regular cab 4x4 with the 6.4L Hemi V8 engine and aluminum dump package with a truck payload weight of 3000lbs as per the RFQ addendum preferred specifications.

Pothier Motors Ltd., can deliver the unit within 4 weeks of written notification of the award, aligning with the Municipality's fiscal year.

BUDGET IMPLICATIONS

In the 2019/2020 Capital Budget, Council approved \$75,000 for the purchase of a replacement ¾ ton truck for recreation park staff.

ALTERNATIVES

1. To award the RFQ to Bruce Ford Sales in the amount of \$57,389 +HST.
2. Not award the RFQ to either respondent

CONCLUSION

The replacement vehicle is required to complete park maintenance and continue with existing service levels at municipal recreation facilities. Staff believe the quote from Pothier Motors Ltd. is reasonable, meets all requirements and can accommodate delivery deadlines.

Department: Recreation

Report Prepared By: Tissy Bolivar, Acting Director of Recreation Services

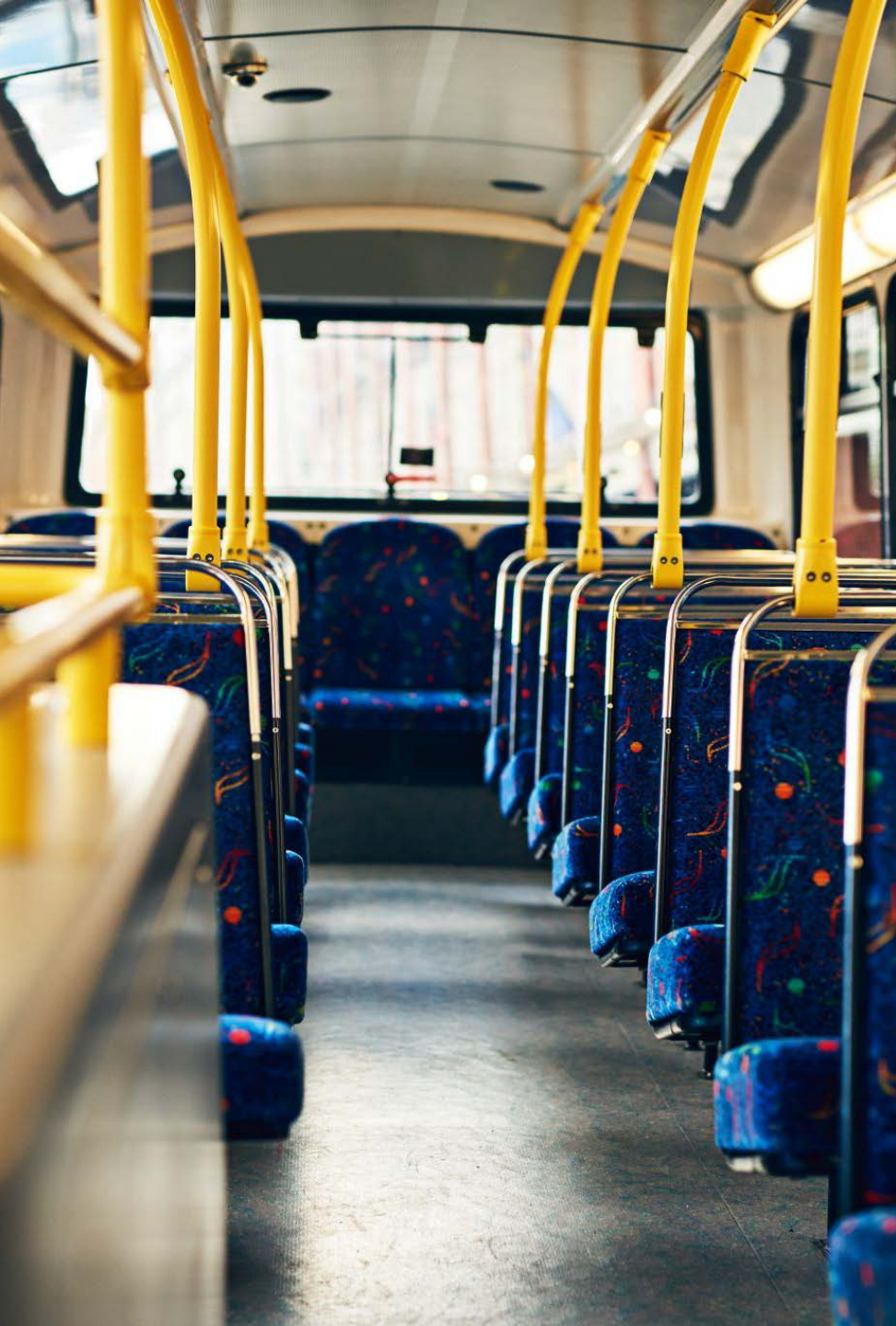
Report Approved By: _____ Date: February 14, 2020

Reviewed By CAO: _____ Date _____



Citizens for Public Transit





Why are we here?

- CPT... Who are we? What is our role?
- Why we do what we do
- Market Survey / Feasibility Study
- Benefits of public transportation
- Next steps
- What we Ask of Council



We are *Citizens for Public Transit*

- Volunteers, Advocates, Lobbyists, Promoters, Activists
- For public transportation in Lunenburg County
- We've been at this for ~15 years
- Small, effective Board of Directors;

Barbara Carthew

Bill Snyder

Jack Schoon

Megan Williams

Norma Carey

Penelope (Penny) Mundell

Stewart Franck



CPT... Why do we do what we do?

- We Believe...
 - We ALL win whenever a person takes the bus
 - We ALL pay to get people around; with or without public transit
 - In the Environmental, Economic, Social, Health and Equity benefits of public transportation
 - Public transit is a vitally important essential service
- We take small credit for influencing;
 - Creation of a Joint Transportation Committee
 - Start up of Bridgewater Transit
 - Initiation of Maritime Bus service



This report is dedicated to the memory of

Norman Haslett

long-standing member and former Chair of Citizens for Public Transit.



Funded by the Department of Communities, Culture & Heritage



The REPORT is a Conversation *STARTER*...



Research;
Travel demand, Pop'n
analysis, Largely DONE



Stakeholder
consultation;
Largely DONE



Routes, corridors;
Decide on coverage and
stops. Some work DONE



Service options?
Several to choose from



Implementation;
By whom? When?



Financial parameters;
Cost sharing



Funding options;
e.g. PTIF



Governance;
e.g. Local Authority

It requires *LOCAL* flavour and perspective



Benefits of Public Transportation



Environmental

Promotion of a healthier more sustainable environment

Reduced CO, CO², Greenhouse gas emissions

Improved environmental stewardship



Economic

Staff wages and maintenance support the local economy

Increased supply of workers for business/industry

Savings in costs of transporting medical out-patients

Stimulus for local business and industry

Savings in infrastructure - reduced parking, road maintenance cost

Reduce out-migration



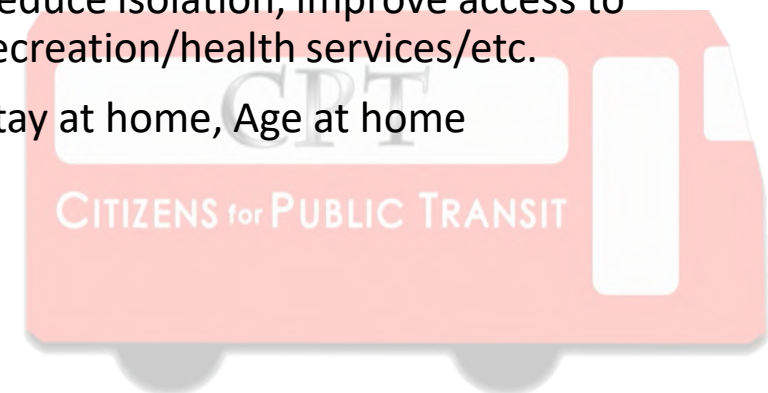
Societal

Increase mobility/independence for families, seniors, youth, students, Social Services clients

Increase access of workers to potential jobs and services

Reduce isolation, improve access to recreation/health services/etc.

Stay at home, Age at home



“By not having a regional public transit system within Lunenburg County, it could be argued that access to specific services such as health, education, employment and social development are limited by the lack of affordable, accessible and available transportation.”

Page 5



Goals for a Regional Transit Service

- Connect Lunenburg, Mahone Bay, Bridgewater, and significant populations of MODL
- Expand, over time, service to additional rural communities
- Effective, efficient service to meet community needs
- Provide access for residents to services
- Focus on the positive outcomes
- Reflect new realities and complement other transportation options



NEXT STEPS, How We Get There



Partnership building

CPT, Mayors,
Councils and the
communities



Engage staff

Planning and
Administrative
Municipal and
Provincial
Recommendations
to respective
Councils



Establish a Transit Authority

Effective
representation
Terms of Reference
and Operations



Pilot

Demonstration



Monitoring and evaluation

Continue
Adjust
Expand
Network
Connect

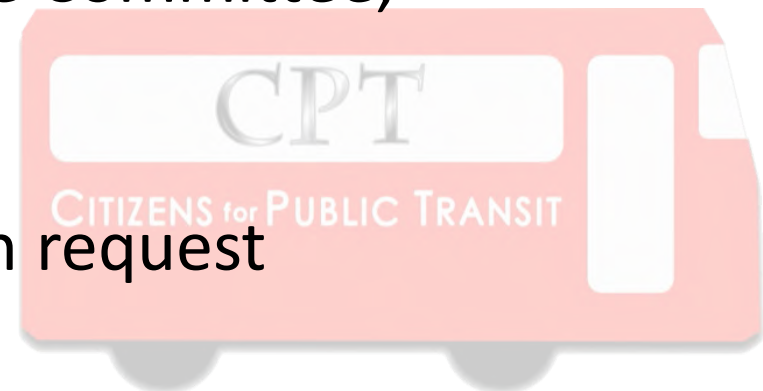


CPT... We ASK;

That Council allow time and resources necessary for Planning/
Administrative staff to review the CPT Feasibility Study: Public Transit.
Their task will be to;

- Dissect and study the Report results and findings
- Identify a transit system model to address residents' needs
- Investigate potential partnership opportunities and funding options
- Develop a proposed governance and operations model
- Prepare a report to Council and/or the appropriate Committee,
as applicable

CPT will gladly assist in this process as needed, upon request



Questions?



Thank you for
“Getting on the Bus!”



FEASIBILITY STUDY: PUBLIC TRANSIT

for Citizens for Public Transit

Final Report



CBCL LIMITED

Consulting Engineers

Prepared for



This report is dedicated to the memory of Norman Haslett, long-standing member and former Chair of Citizens for Public Transit.

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- A Focus Group Invitation and Materials, Responses
- B Survey Form
- C Route Options
- D Financial Assessment

Chapter 1 Introduction

1.1 Acknowledgements

At the outset of this report, the CBCL and Dr. Habib team would like to acknowledge the assistance and support of a number of key individuals and departments who provided information and knowledge based on their own experiences or operational responsibilities. Without them, our task would have been much more difficult in trying to navigate our way through a complex labyrinth of policies, historic background, real life costing and ridership data, procedures, licensing and governance, among other things.

- Jessica McDonald, Mackenzie Childs, Jim Coleman – Town of Bridgewater / Bridgewater Transit
- Glen Bannon, General Manager, Kings Transit Authority
- William Cutler, Manager, Bus Maintenance, Halifax Transit
- Nova Scotia Communities, Culture and Heritage

1.2 Background

Citizens for Public Transit (CPT) was formed in 2006 to address the need for scheduled fixed-route public transit, accessible to all, in Lunenburg County. Their focus has been for a service primarily connecting Bridgewater, Lunenburg, Mahone Bay and adjacent portions of the Municipality of the District of Lunenburg (MoDL). The four municipalities formed the Joint Transportation Committee (JTC) which was established to explore transit possibilities. For the purpose of this study, the boundaries of these four municipalities form the study area. Although the Municipality of the District of Chester has not been part of this group to date, it is hoped that the transit concept could easily be expanded to connect the District of Chester, and also Queens County in the future.

For over a decade, CPT, both independently and through the JTC framework, which brings together representatives of the municipal governments within Lunenburg County, have commissioned and supported a number of studies to assess the need for public transit and to assess the feasibility of a transit system in the region. The results of these efforts have been mixed. While the JTC did not achieve common ground on the establishment of a Regional Transit Service, two independent transit systems have since come into play: the Town of Bridgewater system - Bridgewater Transit, and the Maritime Bus service.

1.2.1 Existing Transit Services and Initiatives in the Study Area

These two systems are now at opposite ends of the service spectrum; Bridgewater Transit has proven very successful providing focused service at the local municipal level, while Maritime Bus has experienced difficulty in growing its inter-city service as hoped at the regional level.

Maritime Bus, as of March 16, 2019, now operates a one trip per direction per day service from Lunenburg County to Halifax, renamed the “Halifax Connector”.

<https://maritimebus.com/locations/bus-stops-nova-scotia/lunenburg-county/?submit=view>

The Nova Scotia Community Transportation Network recognizes its role as the innovative think-tank for community transportation in Nova Scotia. This work involves extensive research into options, identification of best practices, and evaluation of applicability across the province.

<http://communitytransitns.ca/resources/>

The Nova Scotia Transit Research Incentive Program (NS-TRIP) provides funding to help assess the need for and develop transit services in rural areas and underserved urban areas. The program provides cost sharing at various funding levels depending on the scope of the project. Funding is available for one project per year per organization.

<https://beta.novascotia.ca/apply-funding-help-assess-need-and-develop-transit-service-rural-or-underserved-urban-area-nova-scotia-transit-research-incentive-program>

Lunenburg County currently remains without a viable Regional Transit Service. The opportunity therefore exists for this CPT undertaking to 1) fill the regional transit service gap, and 2) maintain and build upon the considerable momentum sparked by the Bridgewater Transit experience.

1.2.2 Rural Transit in Nova Scotia

Currently, there is little in the way of rural transit in Lunenburg County. This is much the same as many other rural areas within Nova Scotia. The exception to this situation is the Kings Transit service, which has been operating successfully since 1981. Kings Transit Authority is a public transit service funded by a group of municipalities, the County of Kings, as well as the towns of Berwick, Kentville, and Wolfville. When the service started, the system serviced only between the towns of Wolfville and Kentville. However, the service has grown and today includes Annapolis County as well as the Municipality of Digby. The Kings Transit Authority was founded on an inter-municipal service agreement (IMSA) that was signed by the partner municipalities, each with a representative on the Board of Directors. Each municipality funds the operational costs of the service through payments calculated based on the ratio of costs to population served. The smallest partner, the Town of Berwick pays the smallest percentage, while the largest partner, the Municipality of Kings, contributes the largest percentage.

Currently, within Lunenburg County residents rely heavily on their own vehicles, sometimes on neighbours giving them a lift, or a number of taxi services that operate mostly in the Towns of Lunenburg and Bridgewater. Taxi services can be expensive, and most people could not afford to use them every day, or even a few times per week, therefore many people struggle to get around because they do not have access to a car, or cannot afford a taxi.

Having a regional public transit system that services the towns and the rural communities in Lunenburg County would provide much needed access for residents to services in the towns, including trips to the hospitals, health appointments, their place of employment, or for leisure purposes.

There are a number of independent travel initiatives that operate in the towns, and in the wider area, such as the Senior Wheels. The Rural Transportation Association provides a door-to-door service on a pre-booked basis, such as the Chester Community Wheels which serves the Municipality of the District of Chester and has been operating since 2007. We are also aware of the Queens County Transit which is currently in its pilot phase. This service is for all residents of Queens County and currently operates a Maritime Bus Connector service between Liverpool and Bridgewater.

There are a number of private shuttle, charter and limousine services that operate in the County, however, there is a lack of an affordable regional service that serves the needs of the people of Lunenburg County. The independent travel initiatives are described in more detail later in this report to provide context to the requirement for a public transit system within Lunenburg County. There is definitely a need for these private enterprises to operate in the region as there will always be gaps in a regional service given the large geographical area to be covered, and there will always be the issue of “the first and last mile”, as with a any public transit service as it is not a door-to-door service that is being provided.

1.2.3 Government Policy Regarding Public Transit

All levels of government are looking at ways of encouraging a move away from the private vehicle trips to more sustainable ways of living and travelling. Using this philosophy should allow initiatives to be developed using current government policy. There are a number of ways in which policy initiatives could support a regional public transit system in Lunenburg County including:

- Government of Canada – Aging In Place (<https://www.canada.ca/en/employment-social-development/corporate/seniors/forum/aging.html>)
- The Nova Scotia Positive Aging Strategy (https://novascotia.ca/seniors/strategy_for_positive_aging.asp)
- The Nova Scotia Poverty Strategy (<http://www.canadasocialreport.ca/PovertyReductionStrategies/NS.pdf>)

Aging in place is becoming an important aspect of living in such a beautiful and diverse province. It is recognised that Nova Scotia has an aging population. For some, this means selling the family home, and moving into the city, usually Halifax, or a larger town like Truro or Bridgewater, to access medical facilities, hospitals, doctors, and even to be closer to their families. Not everyone wants to leave their rural home or small town community, and so it is very important for those folks to be able to stay where they want but to have access to important services, especially when driving a car is no longer an option.

The SHIFT program is Nova Scotia’s Action Plan for an Aging Population. The aim of SHIFT is to change how older adults are “perceived” in our communities, and to help to create more vibrant

communities. Under “rural community transportation”, the link directs the reader to the Department of Municipal Affairs. The department headed by the Minister, the Honorable Chuck Porter, MLA, includes responsibilities such as:

- supporting municipalities in providing effective local governance and planning healthy communities;
- providing funding for municipalities.

Priorities for the department from 2018 to 2019, include:

- setting future direction for the province and municipalities through a partnership agreement;
- supporting new infrastructure programs that address local priorities.

In terms of a regional public transit system for Lunenburg County, this could be facilitated through the terms of the Municipal Government Act, specifically Section 60, Municipality and village service agreements. This would of course require buy-in by each of the towns, Bridgewater, Mahone Bay and Lunenburg, and the Municipality of the District of Lunenburg.

1.3 Project Understanding

Throughout the project, we have been working closely with the CPT Board members in attempting to achieve the goal of a Regional Transit System in Lunenburg County, and to respond to the increasing mobility needs of its citizens through a number of initiatives and unique experiences.

The CBCL and Dr. Habib team successfully delivered the Town of Bridgewater Public Transit Feasibility Study in 2017. The study evaluated the Town’s latent mobility needs, proposed a public transit service plan with a fixed route, evaluated its costs and potential returns, and provided the guidance needed for the Town to successfully implement the recommended service. Through a recent discussion with the Town, they observed that ridership has steadily increased over the duration of the initial 9-month pilot project, eventually surpassing the estimates of the Feasibility Study. Furthermore, the Town recorded an influx of people moving to Bridgewater and reducing their private vehicle ownership, specifically due to the convenience and reliability provided by the town’s transit service. These two trends have led Council to adopt the pilot public transit project as a permanent core service.

Evaluating the feasibility of a Regional Transit System has required interface with all of the municipal jurisdictions within Lunenburg County, as well as discussions with Bridgewater Transit, Kings Transit Authority, Halifax Transit, the department of Municipal Affairs, and the Utilities and Review Board (UARB).

1.4 Project Goals

The study has a number of project goals. As mentioned, there is currently no form of regional public transportation within Lunenburg County. There have been recent feasibility studies into public transit between Bridgewater, Lunenburg and Mahone Bay but the project remained in limbo as of early 2015. In this context, CPT issued an RFP to examine the feasibility of implementing a Regional Transit System within the part of old Lunenburg County presently represented by the Municipality of the District of Lunenburg (MODL), the Town of Bridgewater, the Town of Lunenburg, and the Town of Mahone Bay. The following tasks have been undertaken:

1. Collate all existing information and previous analysis of local regional transit;
2. Develop an understanding of the regulatory framework governing regional transit in the area, and the impacts of existing regulations on service levels and boundaries;
3. Provide an overview of existing transit technologies; and
4. Undertake an examination of the feasibility of different transit service types and route options.

The ultimate goal and challenge of this study has been to provide a feasible strategy and operations plan for the Lunenburg County that meets the needs of the community. The specific objectives of the project were identified as follows and have been considered throughout the duration of the study:

- To assess the various elements required to implement a public transit service in a medium density rural area;
- To understand how people move around and within the study area and what their current and potential future transit needs are;
- To engage targeted stakeholder groups to assess their interest, potential uses and support for public transit within the study area;
- Identify technologies that are efficient, environmentally beneficial, and cost-effective for both the municipalities and users;
- To understand and document the regulatory requirements for public transit within the study area and when transit systems cross municipal boundaries;
- To assess the potential costs of a transit system start-up and ongoing operation for at least two different models for transit within the study area.

By not having a regional public transit system within Lunenburg County, it could be argued that access to specific services such as health, education, employment and social development are limited by the lack of affordable, accessible and available transportation.

Chapter 2 Research and Preparation

2.1 Research

Unlike previous studies undertaken within a single jurisdiction, the current study spans several municipal jurisdictions. The study area focuses on the Municipality of the District of Lunenburg, and the Towns of Bridgewater, Lunenburg and Mahone Bay. Secondary consideration is being given to the feasibility of expanding of a public transit service to other neighbouring rural communities, including the Municipality of the District of Chester, and Queens County.

The major tenet of this undertaking is the understanding of the mobility needs within the study area, and the specific potential for that need to be met by a public transit service. An understanding of existing travel and mobility patterns has been achieved using a number of methods.

Our approach to this project has been multi-faceted, employing multiple lines of enquiry to develop a correct understanding of existing patterns and to formulate a comprehensive statement of needs and opportunities within Lunenburg County. Most importantly, ours has been a participatory approach, recognizing that the future users of a transit service are best suited to define it. The broad geographic coverage of the study area also required innovative methods to reach all of the affected population, beyond traditional surveys and interviews.

2.1.1 Baseline Conditions

Establishing the baseline of existing conditions has consisted of a background review, collecting and aggregating existing sources of information, and determining how people currently travel within the study area. While this has been a citizen-led undertaking, we understand that the municipalities and towns within Lunenburg County are aware and are in general supportive of this endeavour, and they have provided GIS data, and other local information that has helped during the study. They have also provided in-person support by attending the focus groups held in various locations within the County. Some of the current Mayors have also been involved with the Joint Transportation Committee and are long-time supporters of a public transit system in the area.

Population data were extracted from Statistics Canada at the Census Tract (Dissemination Area) level.

By using the available information, we have developed a baseline of existing transportation and mobility conditions and needs in the region.

Our experience with the Town of Bridgewater Transit Feasibility Study taught us the value of broad stakeholder engagement and targeted participatory mapping. For the purposes of this project, we set up a web page providing open access to a participatory web map on the ESRI online platform, an online survey using the Survey Monkey service, along with a discussion platform.

These services were rolled out in the early stages of the project and were carried through until the report writing stage. They have provided us with a base level of public participation, which has complemented the focus groups and the completion of paper survey forms.

We have also reached out to large employers and organisations in the County, as well as to the Mayors of each of the four municipal areas.

Social Dimension

Through our discussions with the CPT Board, and during some of the consultations, we are aware that there are social aspects of transportation that would be beneficial to many people living in the region. Often taxi services are used by Social Services to allow people, families, to travel to appointments on a regular basis. This can be costly, and is not always convenient for the user or the taxi driver as the user may not be ready when the taxi arrives. With a scheduled bus service this could provide more options for users, and may perhaps be more efficient for Social Services as they could provide transit tickets instead of paying for and coordinating taxi fares.

2.1.2 Review of Previously Conducted Transit Studies

Municipality of the District of Lunenburg Public Transportation Feasibility Study, December 2009

In 2009, the four municipalities within Lunenburg County commissioned a study on the feasibility of public transportation in the region. Through stakeholder consultation, it was determined that there was a need for a publicly funded transportation service. The study went on to identify what form the service should take, and to estimate the resources required to provide a service.

A service framework was developed including recommending a scheduled fixed route, using multiple routes to provide greater service area. It was estimated that at full service (year 5), approximately 45,000 passengers would use the service on an annual basis. This would equate to an average of 8 passengers per vehicle per hour. The vehicle types envisaged for the service were a bus or a van. In terms of governance, whether the service was publicly or privately run would depend on the availability of federal or provincial funding. The cost estimate at the time indicated that the capital and net operating cash flows would be almost negative \$1 million, although the figure could have been less if funding was available.

Joint Transportation Committee Public Transportation Study, March 2014

The Joint Transportation Committee (JTC) has been working together for a number of years. In March 2014, they received a report on a Public Transportation study that had been undertaken by Transit Consulting Network (Wally Beck). Some key findings from the study are summarised as follows:

- Seven technical memoranda were produced and presented to the JTC in early 2014;
- Summary of recommendations:

- Need for a public transportation Coordinator “champion”;
- The new service can build on committed and established local expertise from qualified volunteers to help guide service delivery while municipal partners can provide in-kind services to start and on an as-needed basis;
- During the early stages of developing the service, the municipalities should first take ownership and responsibility of the service on a temporary basis to get service started. During this period, efforts would be made to establish a non-profit public transportation organization that would then have full responsibility for the service. In this business model, the municipalities would still own the vehicles while the new Board of Directors of the service would be responsible for the day to day operation and planning. The Coordinator would then report to the Board of Directors.

We do not wish to replicate the work of the Transit Consulting Network, but rather complement the good work undertaken and to update various costs and operational aspects with new information. Having undertaken our study on behalf of the CPT, we agree with the above findings, and have found through our own research that this is how many of the public transit services currently in operation started out. The need for a pilot study, is also a key component of discovering the actual needs and demands of the communities that you are trying to serve with public transit, and this approach proved very successful in the case of Bridgewater Transit.

Town of Bridgewater Transit Feasibility Study, February 2017

CBCL Limited and our partner Dr. Ahsan Habib undertook the feasibility study on behalf of the Town. By reviewing available information, and through holding public and stakeholder consultation, there was no doubt that the people living and working in the Town of Bridgewater were ready for a public transit service. Through the technical feasibility assessment, we adopted the guiding principles and design criteria obtained through the consultations. The recommendation was that the Town start out with a hybrid fixed route service focussing on all trips (including work and non-work trips). We also recommended that the Town purchase a new gasoline powered Community Bus capable of holding up to 20 passengers. We know of course, that the Town received a vehicle through a donation of an older vehicle from Halifax Transit, and this helped to reduce the start-up costs for the service. Along with a number of other recommendations, we noted that it was clear that there was support from town residents and stakeholders that the service be extended outside of the town limits to make connections with other transit initiatives, namely out at Highway 103 Exit 12, near Osprey Village.

2.2 Travel Demand

Review of 2011 and 2016 Census data for Lunenburg County reveals a number of noteworthy trends with regards to transportation. The Census probes work commuting behaviour and reports the place of work, mode of travel and trip duration, for trips made by persons of working age, 15 years and over. While this does not cover leisure or education trips, it provides a very good indication of the primary trip patterns in the County. Additional information was gleaned from the 2016 NovaTRAC survey, which aims at identifying travel patterns throughout Nova Scotia.

This transportation behavioural profile of Lunenburg County suggests that, while the vast majority of trips are made by car, with some noteworthy exceptions, travel patterns are dominated by short, local trips. The opportunity therefore exists to reverse the trend towards auto dependence, by improving the availability of public transportation and also non-motorized mobility.

2.2.1 Mode Split

First of all, review of the mode of travel for commuting to work indicates that in 2016, 93% of work trips were made by car drivers, while 5% of trips were made by walking. Some residual trips were reported as being made by transit and other modes, although there is no regional transit service in the County (see Figure 1). The overall pattern remained constant from 2011.

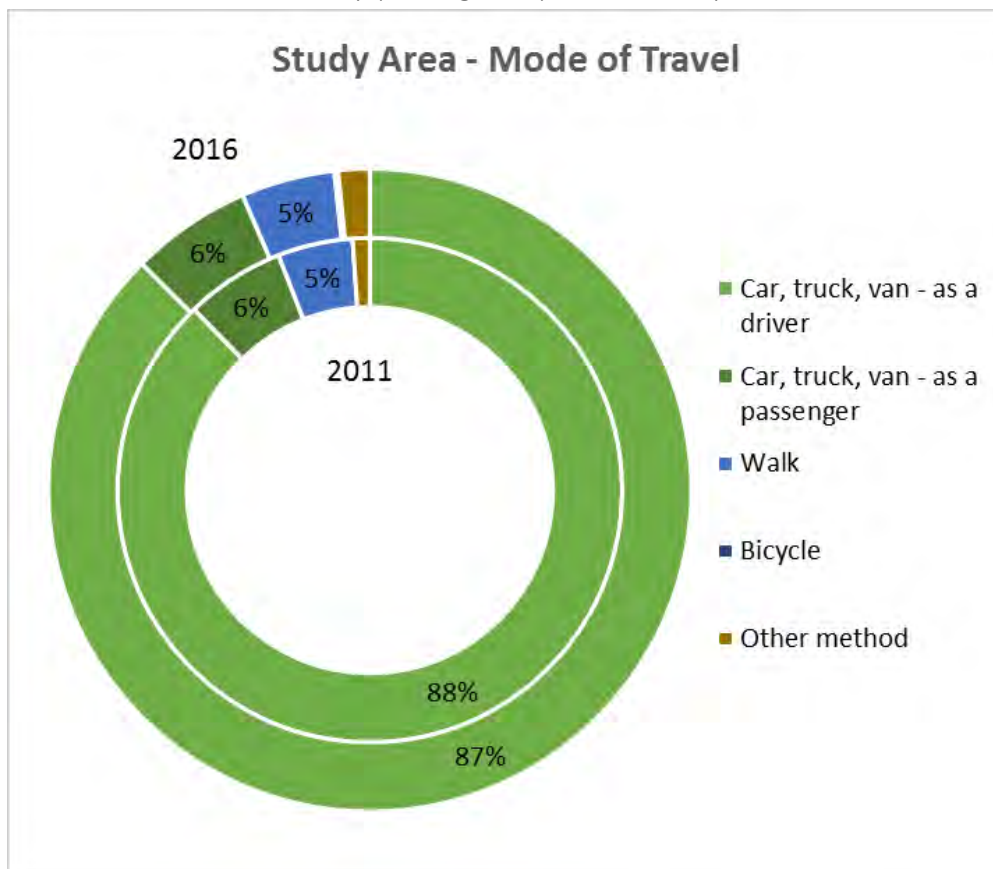


FIGURE 1 STUDY AREA MODE SPLIT

The picture for individual towns and municipalities is equally diverse. While the Municipality of the District of Lunenburg and the Town of Bridgewater exhibit very high auto usage, the Town of Lunenburg and the Town of Mahone Bay show much higher rates of active transportation (see Figure 2). In the Town of Lunenburg, over 20% of work trips were made by walking, consistent between 2011 and 2016. In Mahone Bay, we observe a slightly different dynamic; while 23% of work trips were made by walking in 2011, this proportion fell to 13%, concurrent with an increase of 8% in the proportion of auto passengers. We can infer that 8% of work commuters shifted from walking to being driven to their destinations.



FIGURE 2 MODE SPLIT CHANGE

The NovaTRAC survey roughly confirms these patterns. Lunenburg County residents undertook a combined 71% of their work and school trips by auto (Figure 3). NovaTRAC provides also provides a look at non-work/school trips. Compared to the provincial patterns, we find that

residents of Lunenburg County undertake more of their work/school trips by active modes of transportation than the provincial average (24% vs. 11%), while they undertake more of their non-work/school trips by auto (88% vs. 71%).

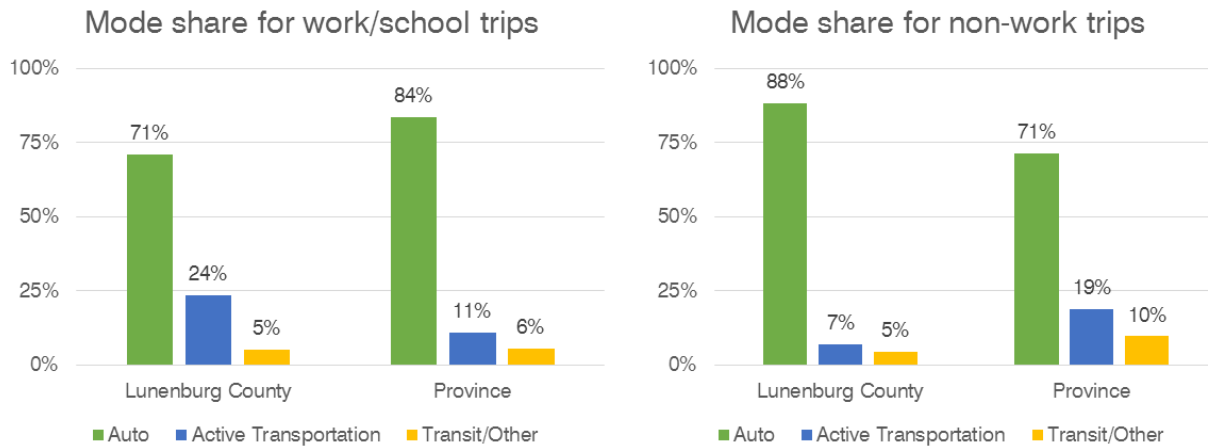


FIGURE 3 STUDY AREA MODE SPLIT - NOVATRAC

This suggests that more of the work/school trips are local, while more discretionary non-work/school related trips are more regional.

Review of work commute destinations in 2016 (see Figure 4) shows that close to 40% of all work trips were made within the municipality of residence, and another 50% of trips remained within Lunenburg County. The Town of Bridgewater exhibits very high internal capture of work trips, with close to 70% of work commuting being undertaken within the Town. Conversely, MoDL and the Town of Mahone Bay exhibit the lowest internal capture and highest proportion of work trips outside of the Towns. Anecdotally, we know that the majority of these County-destined trips are Bridgewater-bound, where a significant portion of the County’s employers are based.

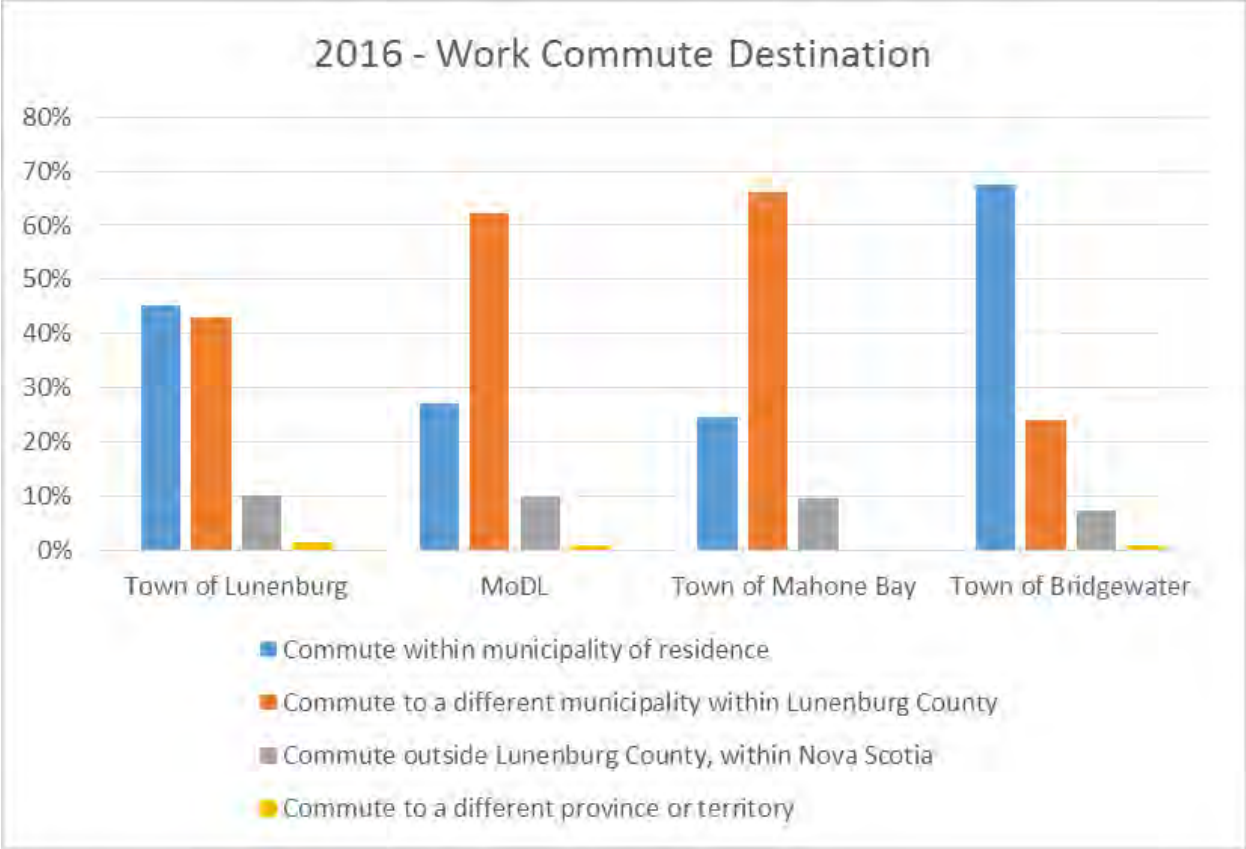


FIGURE 4 WORK COMMUTE DESTINATIONS - 2016

In conjunction with the local character of work trips, we also observed that in 2016, over 40% of all work trips were less than 15 minutes long, while close to 35% of trips were 15-29 minutes long. These very local trips are clearly seen in the Town of Lunenburg and the Town of Bridgewater (see Figure 5).

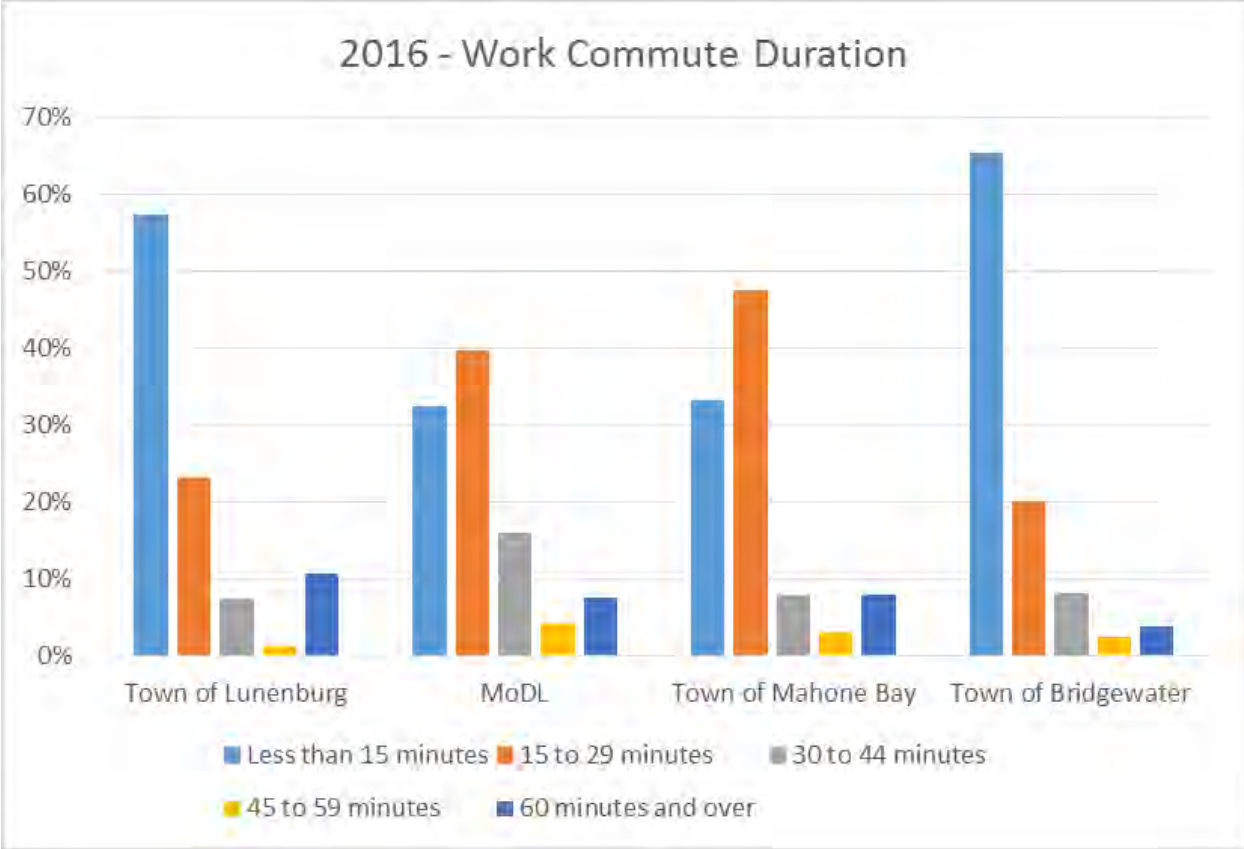


FIGURE 5 WORK COMMUTE DURATION – 2016

2.2.2 Trip Generators

The work commute destinations suggest that there are places of employment throughout Lunenburg County, with a very significant cluster in the Town of Lunenburg and the Town of Bridgewater. A review of major businesses, employers and institutions (summarized in Table 1) confirms that this is indeed the case.

TABLE 1 MAJOR ACTIVITY GENERATORS

Activity Generator	Community
Atlantic superstore	Bridgewater
Blessed hope Baptist Church	Bridgewater
Bowater Mersey Paper Co. Ltd	Bridgewater
Bridgewater Electrolysis Clinic	Bridgewater
Bridgewater Jr High School	Bridgewater
Bridgewater Open Bible Church	Bridgewater
Bridgewater United Church	Bridgewater
Crown Tire Service (Atlantic) Ltd	Bridgewater
Elmer M. Lohnes Lumbering Ltd	Bridgewater
Grant Thornton Limited	Bridgewater
HB Studios Sports Centre	Bridgewater
Impact Church Bridgewater	Bridgewater
Lighthouse Publishing Limited	Bridgewater
Michelin North America	Bridgewater
Millennium 1 Solutions	Bridgewater
Newcombville Elementary School	Bridgewater
NSCC	Bridgewater
Park View Education Centre	Bridgewater
Seventh-day Adventist Church	Bridgewater
Snyder's Shipyard Limited	Bridgewater
Sobeys	Bridgewater
South Shore Ready Mix Ltd	Bridgewater
South Shore Regional Hospital	Bridgewater
South Shore Veterinary Hospital	Bridgewater
ST Joseph's Roman Catholic Church	Bridgewater
The Ark	Bridgewater
The Church of Jesus Christ of Latter-day saints	Bridgewater
Trinity Holy Anglican Church	Bridgewater
Walmart Bridgewater supercentre	Bridgewater
ABCO Industries Limited	Lunenburg

Adams & Knickle	Lunenburg
Atlantic Electronics Ltd	Lunenburg
Bailly's Holding Ltd	Lunenburg
Bluenose Academy	Lunenburg
Central United Church	Lunenburg
Composites Atlantic Limited	Lunenburg
First South United Church	Lunenburg
Fishermen's Memorial Hospital	Lunenburg
Grace Lutheran Church	Lunenburg
High Liner Foods Inc.	Lunenburg
Lunenburg Boat Locker	Lunenburg
Lunenburg Fish Company	Lunenburg
Lunenburg Industrial Foundry & Engineering Ltd	Lunenburg
Nova Wood Products Limited	Lunenburg
Ocean Gear Inc	Lunenburg
Scotia Trawler Equipment Limited	Lunenburg
St Andrews Presbyterian Church and Hall	Lunenburg
St Norbert's Catholic Church	Lunenburg
St. John's Anglican Church	Lunenburg
Stelia North America	Lunenburg
Zion Ev Lutheran Church	Lunenburg
Amos Pewter Limited	Mahone Bay
Anglican Church	Mahone Bay
KEKA	Mahone Bay
Mahone Bay Centre	Mahone Bay
Mahone Bay Museum	Mahone Bay
Reinforced Plastic System Inc	Mahone Bay
St. John's Lutheran Church	Mahone Bay
Suttles & Seawinds of Nova Scotia Limited	Mahone Bay
T. Ernst Forest Products Inc	Mahone Bay
United Church Mahone Bay	Mahone Bay

This local economic activity presents the opportunity of shifting a significant portion of work trips from the auto, to alternative modes of transportation.

2.2.3 Population/Demographics

Review of Canada Census demographics data indicates that overall, the population of the study area has remained relatively stable between 2011 and 2016, growing slightly from 36,600 to 36,685 people. At a more detailed level, this stability can be explained by some minor decrease in the populations of the Town of Lunenburg and MoDL, balanced by growth in the Towns of Mahone Bay and Bridgewater.

Overall, we note a clear aging of the population throughout the area; the segment of the population over 64 years of age increased from 22% in 2011 to 26% in 2016. The trends are summarized in Table 2 and illustrated in Figure 6 and Figure 7. The aging of the population, particularly in the Town of Mahone Bay, may provide some understanding of the changes in mode split observed in that Town between 2011 and 2016.

TABLE 2 POPULATION TRENDS FROM CENSUS DATA

	Town of Lunenburg		MoDL		Town of Mahone Bay		Town of Bridgewater		Study Area	
	2011	2016	2011	2016	2011	2016	2011	2016	2011	2016
Total	2,300	2,255	25,115	24,860	945	1030	8,240	8,540	36,600	36,685
Under 15	11%	11%	13%	12%	12%	10%	13%	13%	13%	12%
15-64	58%	53%	68%	64%	56%	52%	63%	60%	66%	62%
Over 65	31%	35%	19%	24%	33%	38%	24%	27%	22%	26%

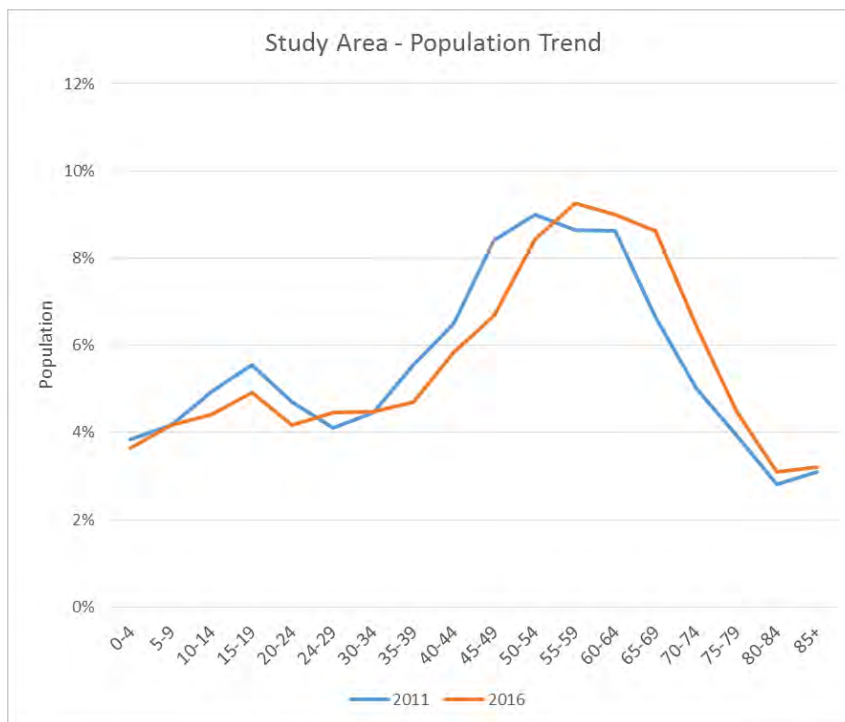


FIGURE 6 POPULATION CHANGE – STUDY AREA

The trend observed at the County level roughly matches the trends of each Town. We do note that the Town of Bridgewater exhibits a “flatter” profile, with its population being more equally distributed between younger and older cohorts.

The aging trend will have a significant impact on travel needs. Residents of retirement age tend to do fewer work-related trips, and more leisure or discretionary trips. At the same time, as they progress in age, they may require more access to services. Their needs may be compounded by reduced mobility in terms of walking and cycling ability, access to an automobile, or the ability to drive.

Aging population groups therefore become a prime candidate for a public transit system that preserves their mobility.



FIGURE 7 POPULATION CHANGE BY MUNICIPALITY

To get a better understanding of the population dynamics in Lunenburg County, we conducted a GIS analysis of all residential address points, correlated to Statistics Canada population figures (see Figure 8). The analysis demonstrates that the majority of the population in Lunenburg County is heavily clustered in the three Towns, and along the major highways (see Figure 9). Additional population clusters are evident, corresponding to New Germany, Conquerall Bank, and the shores of Fancy Lake.

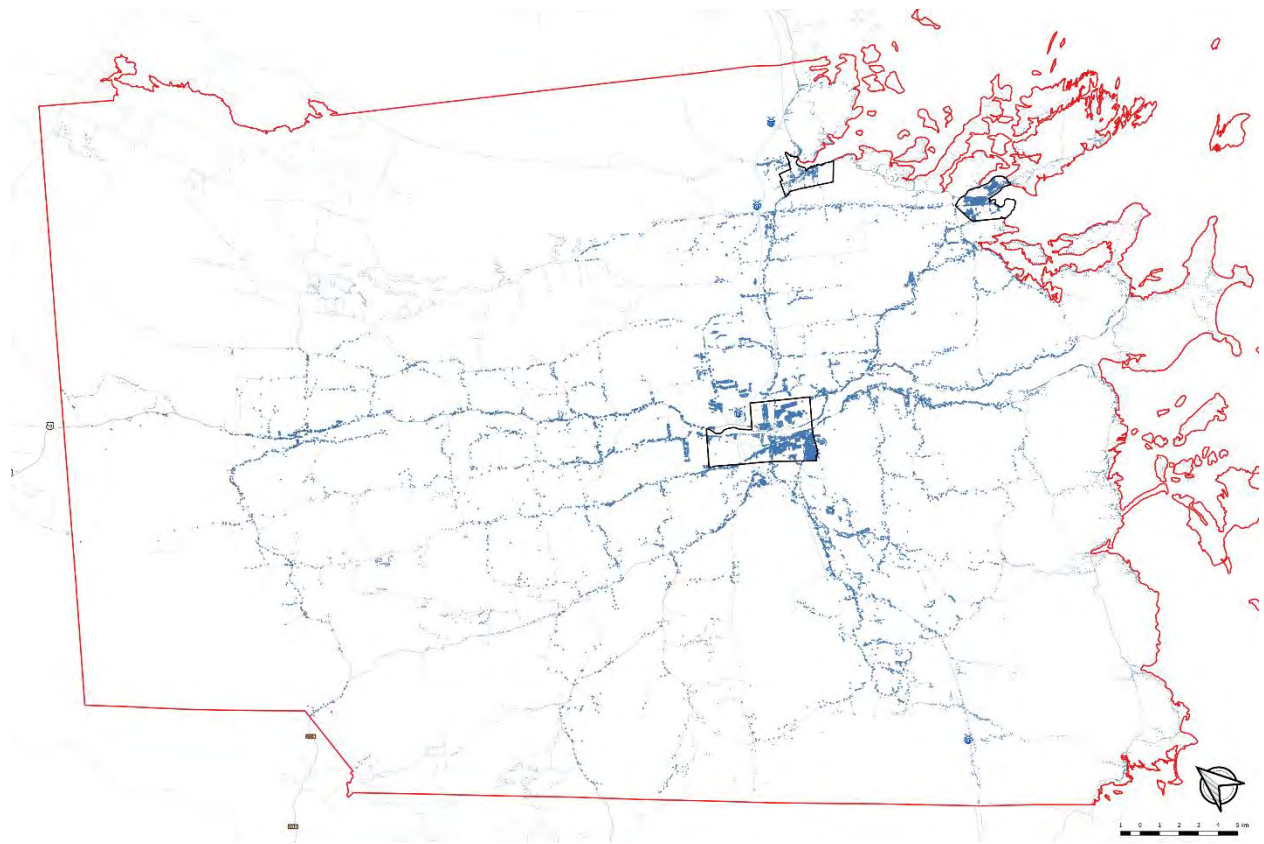


FIGURE 8 LUNENBURG COUNTY POPULATION DISTRIBUTION



FIGURE 9 LUNENBURG COUNTY MAIN POPULATION CLUSTERS

Chapter 3 Stakeholder Consultation

To better understand the needs of Lunenburg County residents, we undertook an extensive public consultation process. We are also aware that, historically Lunenburg County residents have not had consistent and regular public transit services, therefore they may not be aware of the benefits of public transit. Consultation therefore also included an awareness exercise probing participants' understanding of public transit and its benefits to themselves, their families and communities. The process also aimed at formulating the guiding principles of a regional transit system.

The consultation process consisted of 3 rounds of focus groups, an online participatory map tool, surveys, and targeted stakeholder interviews.

3.1 Focus Groups

Three focus groups were held on the following days and in the listed locations:

- Monday May 13, 2019 - Town of Lunenburg Fire Hall; and
- Wednesday June 12, 2019 - Mahone Bay Centre, and LaHave Bakery.

These events introduced the project and sought to identify the needs of the community for public transit, and key principles that will govern and shape a future transit service in the region.



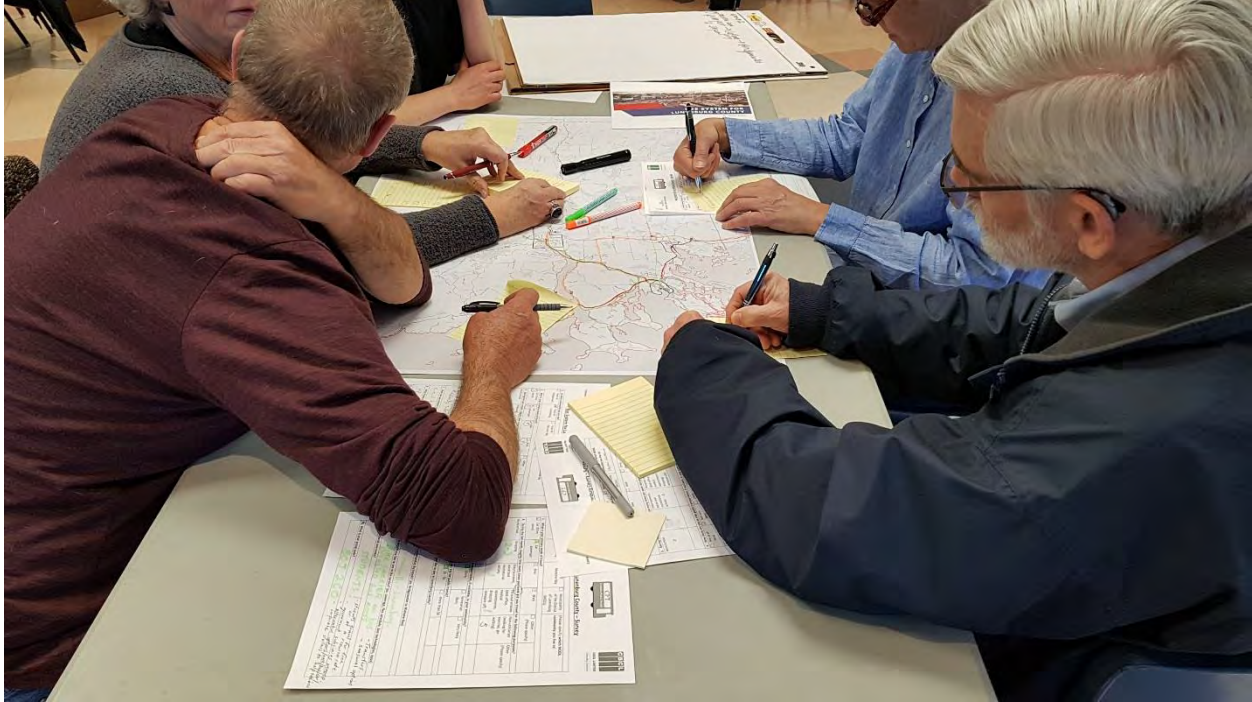
Approximately 30 people attended the event in Lunenburg, with approximately 10 each at the Mahone Bay and LaHave events, respectively.

The events included a short presentation of the project, a review of Lunenburg County demographic profiles and travel demand patterns, as observed in Census Data, followed by two workshop sessions.

The first workshop session probed participants' understanding of public transportation benefits and guiding principles, while the second workshop session asked participants to imagine and discuss potential transit service connections within their communities, across Lunenburg County, and beyond.



The Focus Group Invitation and Materials, Photos, and Responses are contained in **Appendix A**.



As a result of the three focus groups, we have a clearer understanding of the perceived benefits of a public transit service, and the guiding principles that the service should follow through the input and participation of local residents.

3.2 Participatory Map and Survey

Coinciding with the first focus group event, the project also launched an online participatory website and map, and a survey available both in print and online formats. The participatory map explored participants' places of residence, their major destinations within Lunenburg County, and locations that they thought would benefit from transit access. As illustrated in Figure 710 below, while place of residence (green) were reported throughout Lunenburg County, the principle destinations (blue) were the Town of Bridgewater and the Town of Lunenburg, and to a lesser degree Mahone Bay, LaHave, Petite Rivière and other coastal communities.

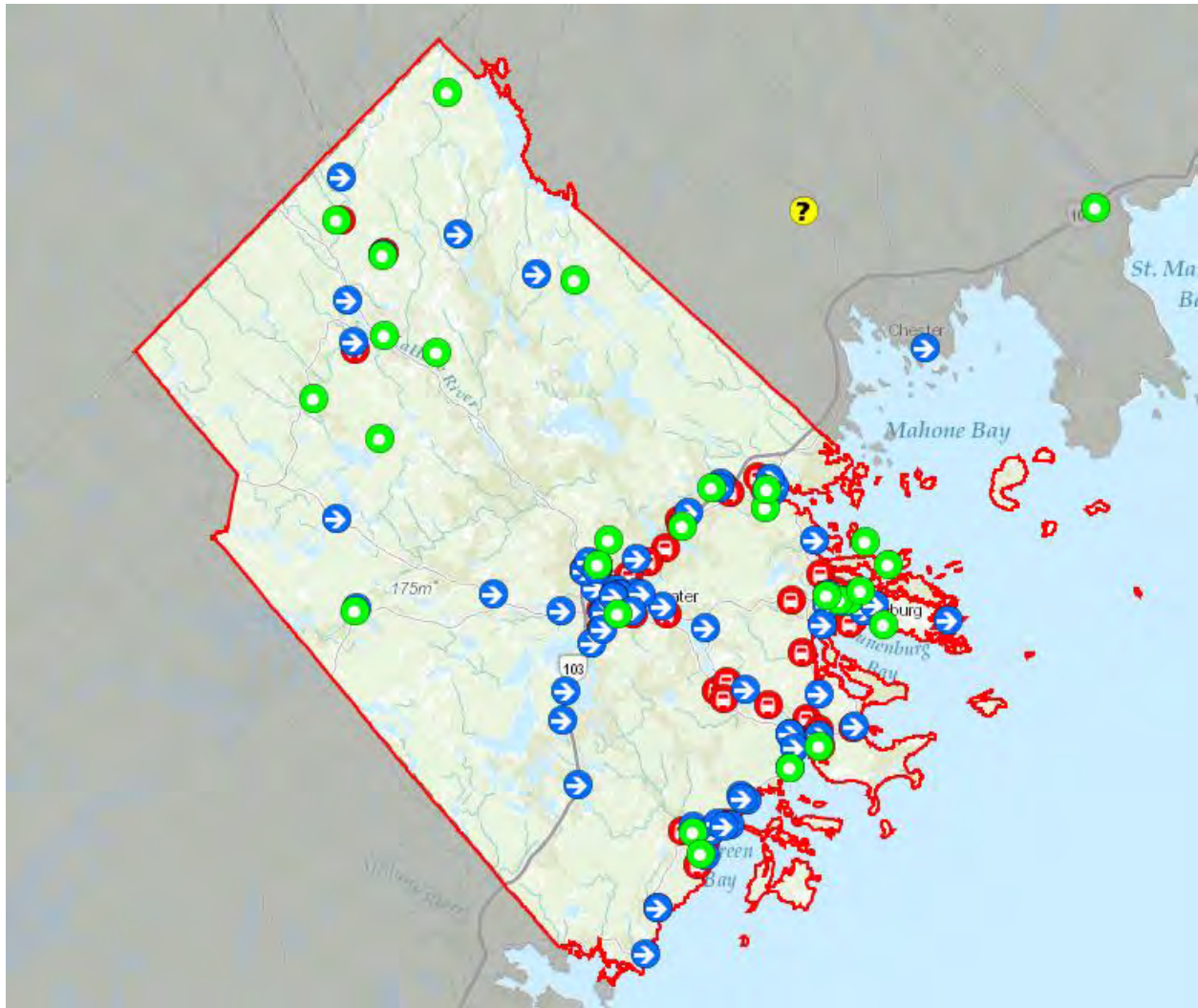


FIGURE 10 PARTICIPATORY MAP RESULTS

In conjunction with the focus groups, each participant was asked to complete a one-page survey asking questions about where they live, how and why they travel, and their feedback on how a public transit service could operate. The survey form is included in **Appendix B**. The survey was designed to complement both the focus group events, and the participatory map. Participants were asked targeted questions on their travel habits and needs, modes of travel, travel purposes, likelihood of using a transit service, and willingness to pay for one. Open-ended questions were also asked, concerning the type of transit service they would like and how they would see such a service being implemented.

The paper and online survey garnered close to 250 responses. Filtering for completion and validity, this resulted in a usable number of 205 responses.

Overall, we found the majority of participation from MoDL, at just over 50% of responses. The statistics are shown in Figure 11 below.

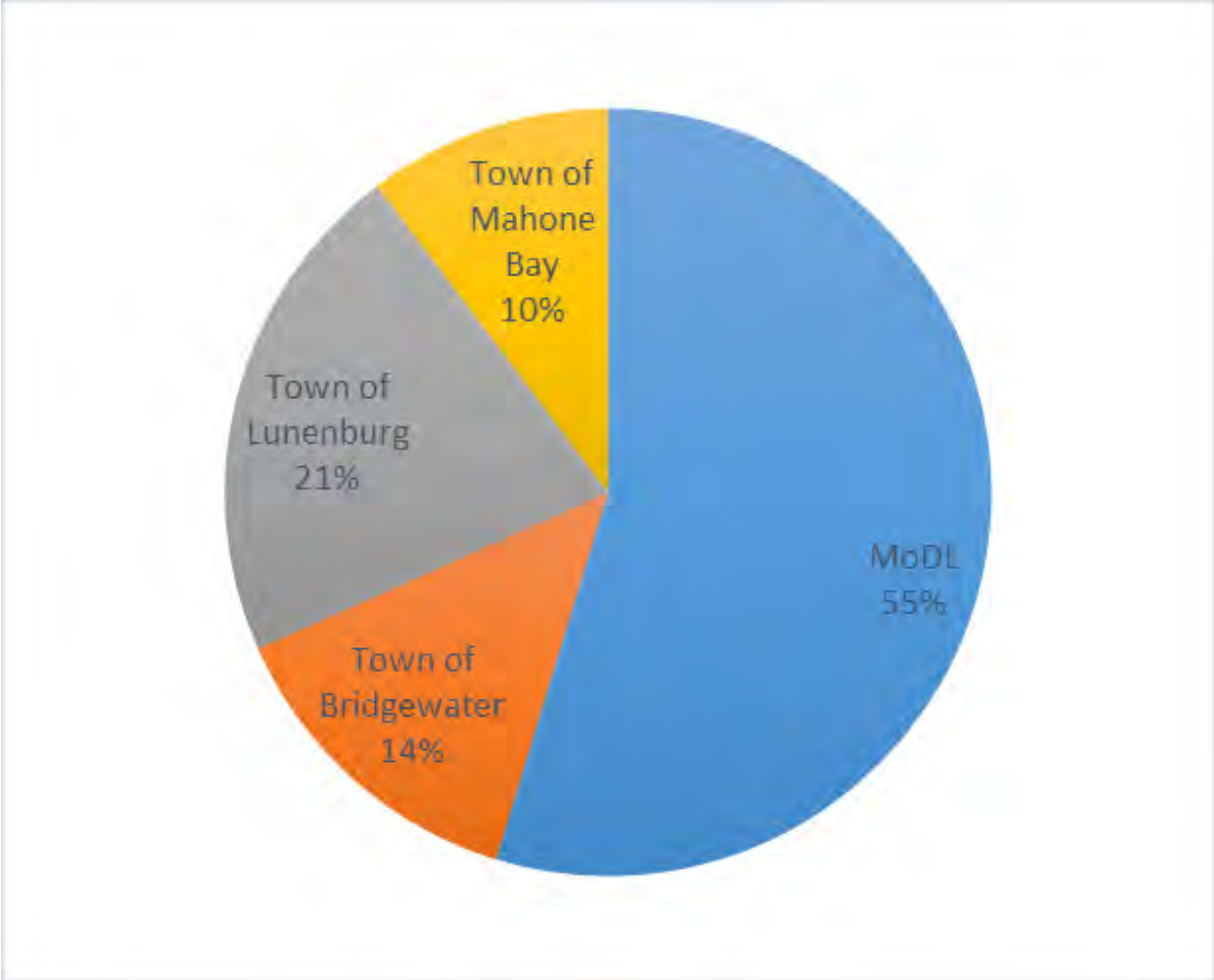


FIGURE 11 SURVEY PARTICIPATION – LOCATION OF RESPONDENTS

3.3 Stakeholder Interviews

Throughout the duration of the study, we have been in discussions with the Utilities and Review Board (UARB), all four municipalities (Town staff and Council representatives), as well as transit operators including Kings Transit Authority, Bridgewater Transit, and Halifax Transit.

We have also reached out to major employers and large organisations within Lunenburg County, and including the Nova Scotia Health Authority local representative in Bridgewater. The largest of these organizations are summarized in Table 1 above. A number of organisations have been contacted via phone and email, and we have received feedback from some of them.

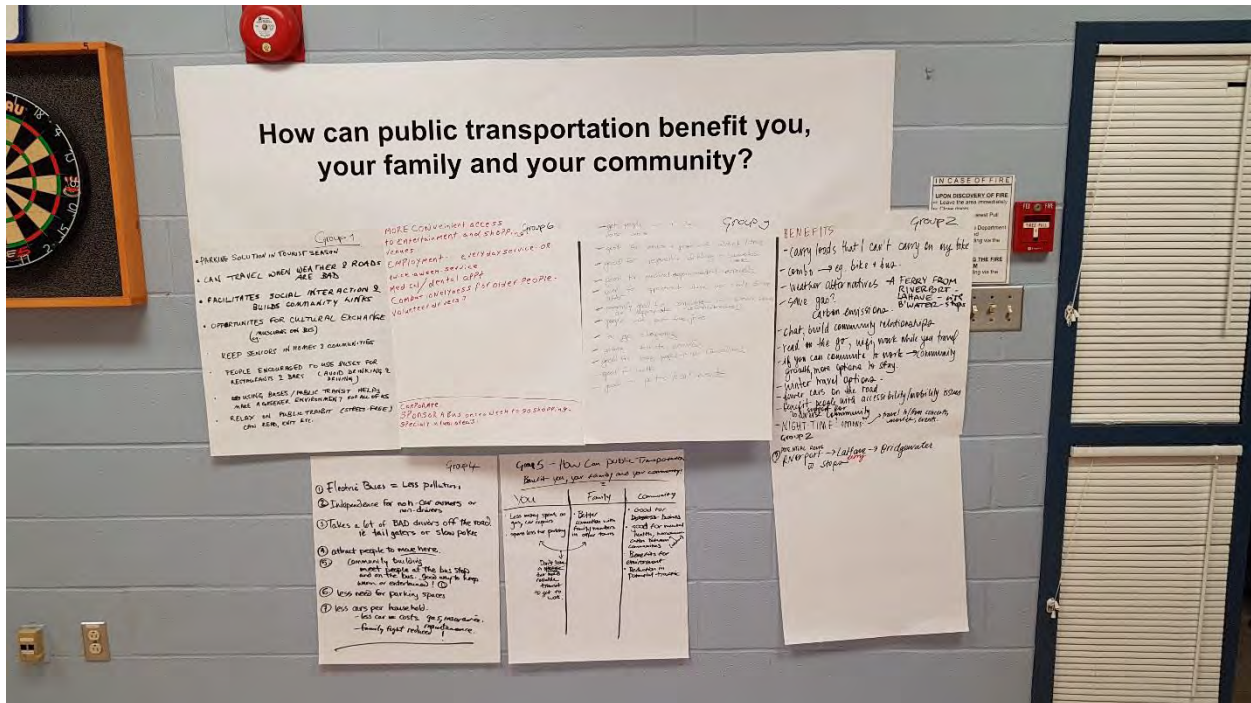
For the large organisations, we developed a similar questionnaire to that used for the public consultation, this time focussing on how employers think that a public transit service could benefit their employees. The questions asked are shown below:

Questionnaire

1. Can you please tell me how many people you employ?
2. What hours do they work?
3. Do any of them work shift hours?
4. What hours of operation do you have?
5. Where do your employees commute from?
6. What are your thoughts about a possible public transit service for Lunenburg County?
7. Do you think that your employees would take transit, if available?
8. Would you be interested in contributing in some way to the service, for example by offering assistance to employees through a transit pass, or subsidised fares, or free tickets?
9. Would you like to provide any additional comments or information?

3.4 Major Findings

The survey and public consultation provided a great depth of information about Lunenburg County residents’ travel patterns and needs. Most startling, we found that the 250 survey respondents reported doing over 3,800 trips on a typical week. That equates to over 15 trips per person per week, and close to 800 trips per person per year.



The reported purposes of these trips were found to be mixed. Based on our team’s experience in the Town of Bridgewater, we had assumed that a majority of public transit users would be work and school commuters. This newest round of surveys across the County suggests that non-work/school trips are as important, if not more so, as work/school trips. In aggregate, work/school trips were only found to account for 22% of needs, with the rest of travel needs most highly represented by shopping trips (24%), followed by entertainment, personal and non-utilitarian trips (leisure, dog-walking), roughly equal at 18% each.

Interesting differences were observed between the type of travel needs of the Towns of Bridgewater, Lunenburg and Mahone Bay, and those of MoDL. Specifically, MoDL and the Town of Bridgewater are the primary drivers of work & school trips, whereas the Town of Lunenburg and the Town of Mahone Bay exhibit a smaller percentage of work and school trips, but higher proportions of discretionary trips. This may be due to higher numbers of retired residents in these two communities.

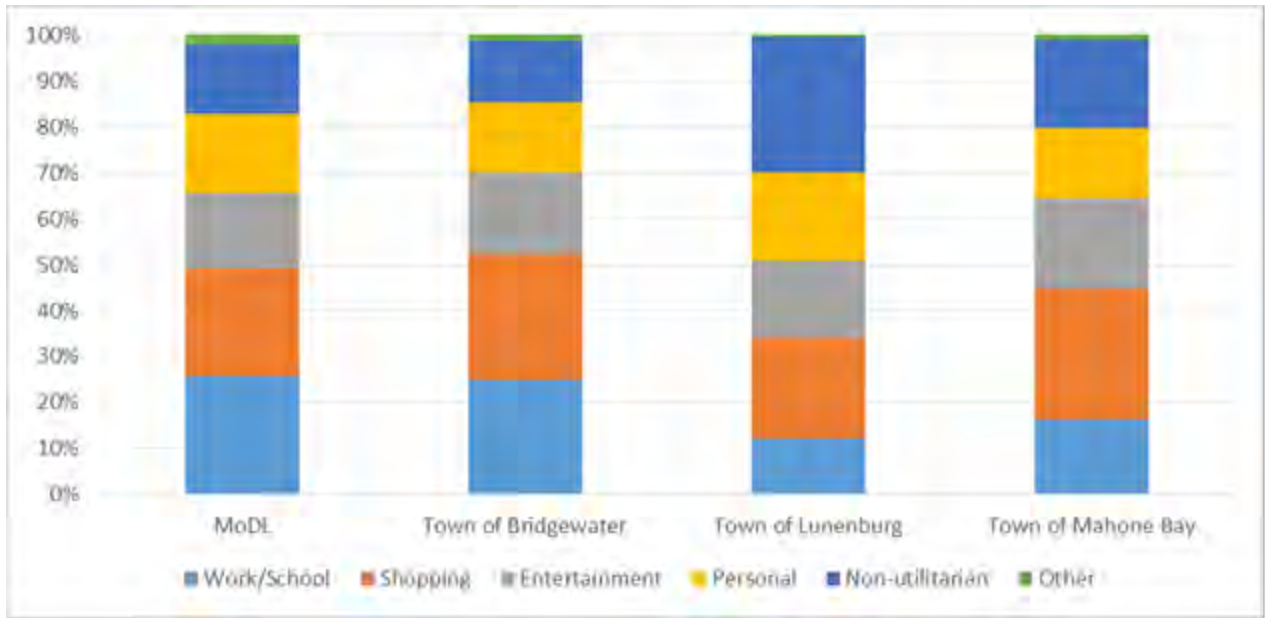


FIGURE 12 PRIMARY REASONS FOR TRAVEL

Throughout the project, the survey demonstrated that there is overwhelming support for public transit, with the majority of respondents reporting that they would be likely or highly likely to use the service.

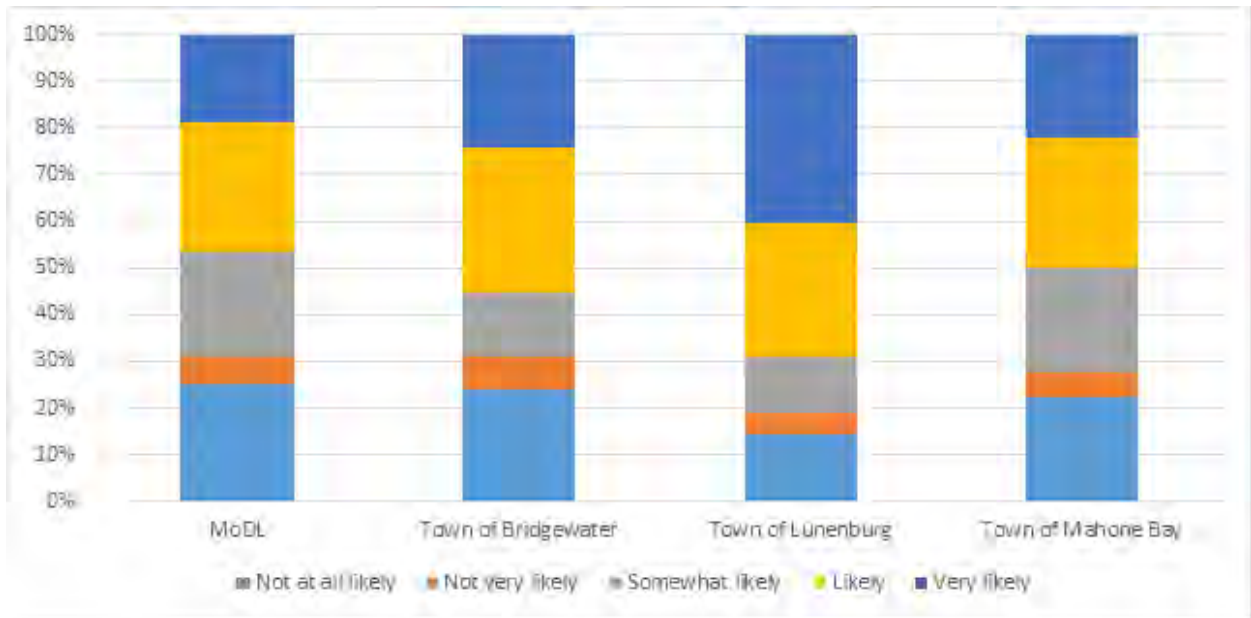


FIGURE 13 LIKELIHOOD OF USING PUBLIC TRANSIT

In terms of willingness to pay for public transit, well over 50% of respondents reported that they would be willing to pay around \$3 to \$4 per transit trip. This range appears to be reasonable given the acceptable threshold obtained during public consultation in the Town of Bridgewater for a town service. Respondents during that service selected around \$2 per trip. So, it seems logical that respondents for a regional transit service would suggest a higher range given further distances, and a larger area being serviced.

For ongoing analysis, we have therefore assumed a standard transit fare of \$3.50 per one-way trip.

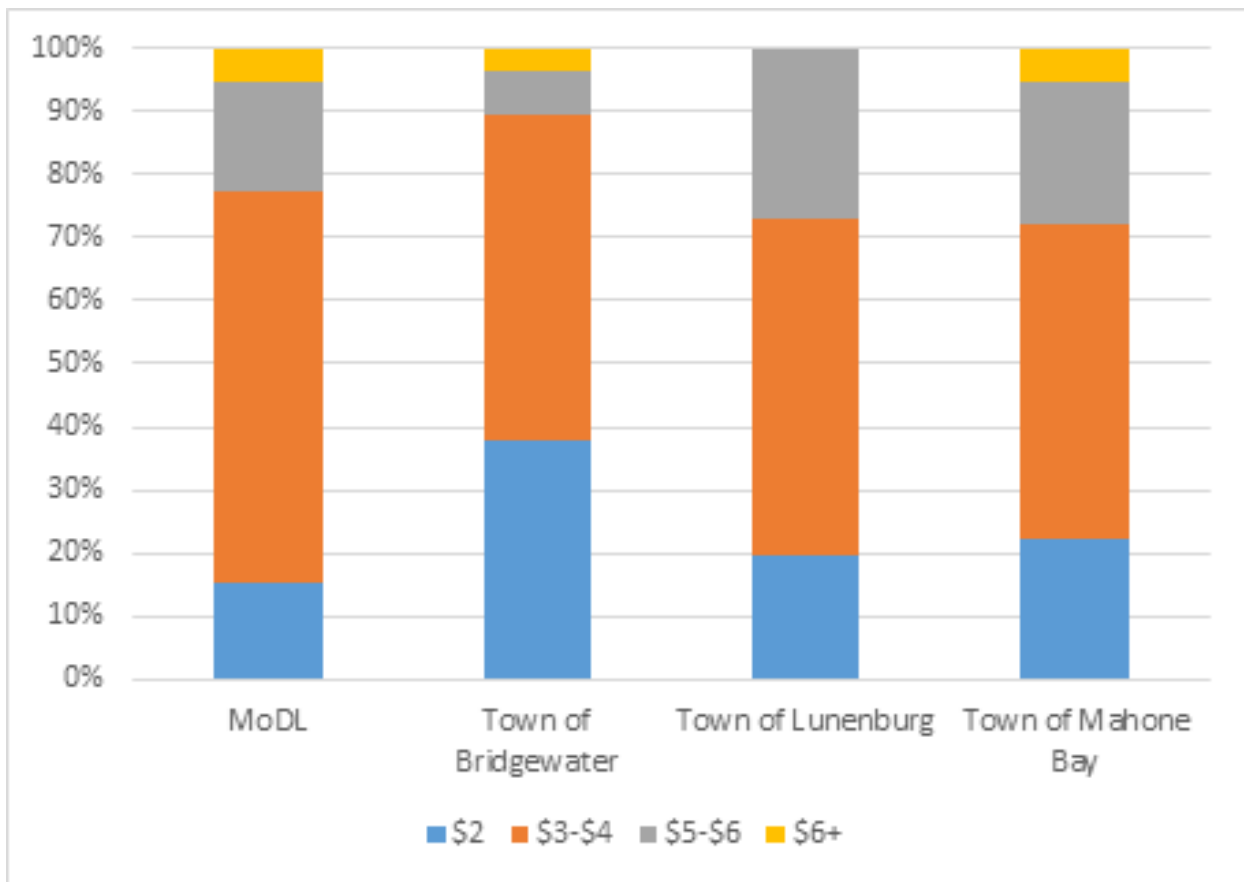


FIGURE 14 WILLINGNESS TO PAY FOR PUBLIC TRANSIT

3.4.1 Benefits of Transit

Overwhelmingly, participants at all three public events reported on the social benefits of public transit service, as well as possible economic and leisure benefits. Transit is seen as being very positive for mental and physical health, and for the promotion of a healthier and more sustainable environment. Transit is also seen as a way for people to access employment in areas where they cannot afford to live, for example, some participants would like to live and work in Lunenburg, however, they cannot afford to live in the town due to the higher cost of properties.

The figure below demonstrates the topics raised by participants at each of the events, and highlights the benefits of most importance to people, namely, the social, leisure, economic and accessibility factors that can be provided by a public transit service. This is consistent with anecdotal evidence.

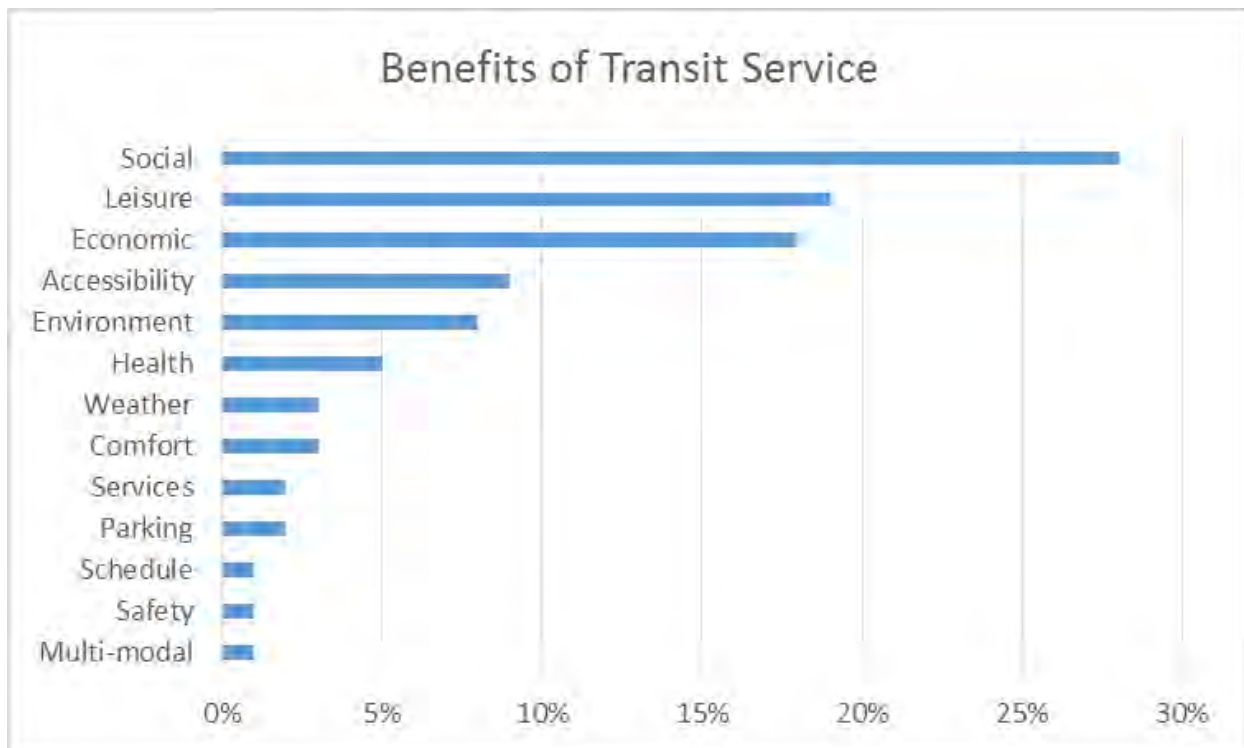


FIGURE 15 BENEFITS OF A TRANSIT SERVICE

3.4.2 Vision Statement

Through the feedback received during the consultation process, core principles were identified based on the proportion of in-person, on-line survey, email correspondence, and phone survey responses. Responses are summarized in Appendix A.

In general, the core principles of a fair and just public transit system can be summarized as follows:

- Prioritize transit service for the people who need it most;
- Establish a fair revenue (fair fares);
- Plan and operate inclusively;
- Plan for housing affordability; and
- Support jobs in low-income communities.

Many of the guiding principles identified during this project align well with these overarching principles for a public transit system.

Based on the core principles reported by participants, we propose the following Vision Statement for a Lunenburg County Transit System:

“Lunenburg County Transit is an accessible, affordable and responsive system that provides safe, convenient, and connected mobility to its users. It is an environmentally conscious system that strives to improve personal mobility, while reducing the footprint of personal auto usage.”

3.4.3 Service Routes

Through the focus groups, we also received excellent input on typical travel circuits around Lunenburg County. The major route options identified by participants were digitized, and compiled into a single map, illustrated in Figure 16.

This illustration conveys the relative weight of user demand for and interest in a transit system. Predictably, the majority of indicated routes centre on the Town of Bridgewater as a Regional Core, connecting to satellite nodes such as Lunenburg and Mahone Bay.

The surveys provided an understanding of the type of trips made in the area, and the chosen modes of transport.

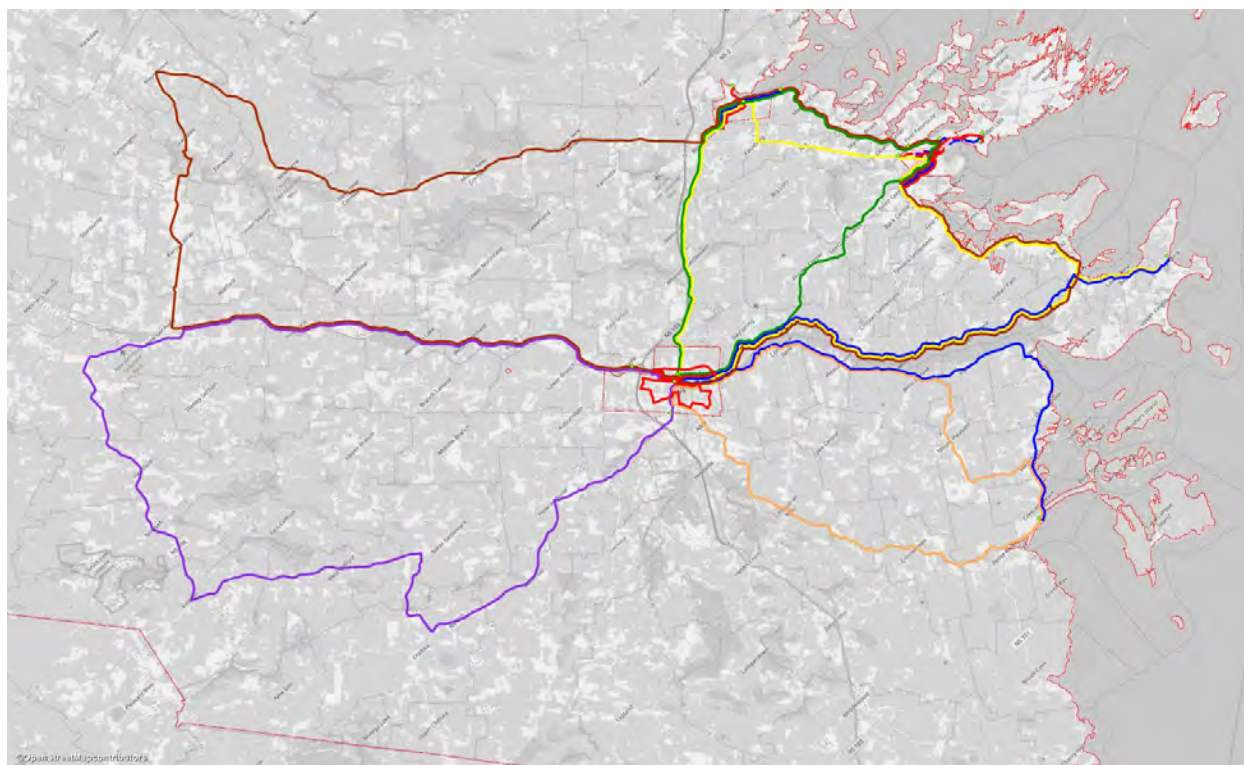


FIGURE 16 PUBLIC TRANSIT ROUTES PROPOSED BY PARTICIPANTS

3.4.4 Service Features

Consistent with the reported operating principles for a public transit system, survey and focus group participants also reported desirable service features such as wheelchair accessible buses, online service maps, fixed scheduling and bike racks. Most importantly, respondents desire a dependable and consistent service with fixed schedule and coverage of the most heavily populated parts of Lunenburg County.

3.4.5 Stakeholders and Large Organisations

Through our discussions with the stakeholders and large organisations we have also been made aware of the following points:

- The Town of Bridgewater is looking at the feasibility of connecting the existing town public transit to a wider, regional transit system in the future;
- The Mayor of Lunenburg notes (with Council's approval), that a pilot study would be supported with certain parameters around cost responsibility in place;
- The Mayor of Mahone Bay has called a special meeting of Council for Tuesday August 6th, 2019 to discuss the CPT study. The Mayor committed to contacting CBCL following the meeting to provide an update;
- Under Question 6 of the large organisations questionnaire *"What are your thoughts about a possible public transit service for Lunenburg County?"*, the responses received included "Wonderful", "Good. Lots of Senior People Need It.", "Good Thing", "Great Idea, it'd benefit Seniors who can't drive, students who can't afford cars.", "Sounds Good";
- Under *"Do you think that your employees would take transit, if available?"*, some mixed responses were received, however, there were some that thought that their employees would use a service, if available including some who noted that "... it will provide the employees with a lot of convenience as they have an increasing amount of international employees who rely on walking.";
- Some employers would also consider contributing in some way to the service to benefit their employees, including free bus passes;
- Some of the larger organizations contacted have in excess of 100 employees, many of whom work shifts;
- Many of the organizations consider that a public transit system would benefit their employees and residents of the region.

Chapter 4 Technical Feasibility Assessment

4.1 Route Options

Using Land Use and Address Point datasets provided by the three Towns and MoDL, we were able to compile a GIS dataset of all the dwellings in the study area. With this information and the survey inputs, and with the route concepts provided by the focus group participants, we have shortlisted three potential routes, all centred on Bridgewater, and consistent with much of the public input. Routes were designed to capture as much of the resident population as possible, while providing direct connections between the Towns and to major destinations like employment and commercial clusters, and services. The four potential route corridors are:

- An initial Mahone Bay-Lunenburg Core Loop;
- A subsequent Riverport Loop Extension;
- A LaHave-Petite Rivière Extension; and
- A New Germany Extension.

These potential routes are illustrated in Figure 17, and in detail in **Appendix C**.

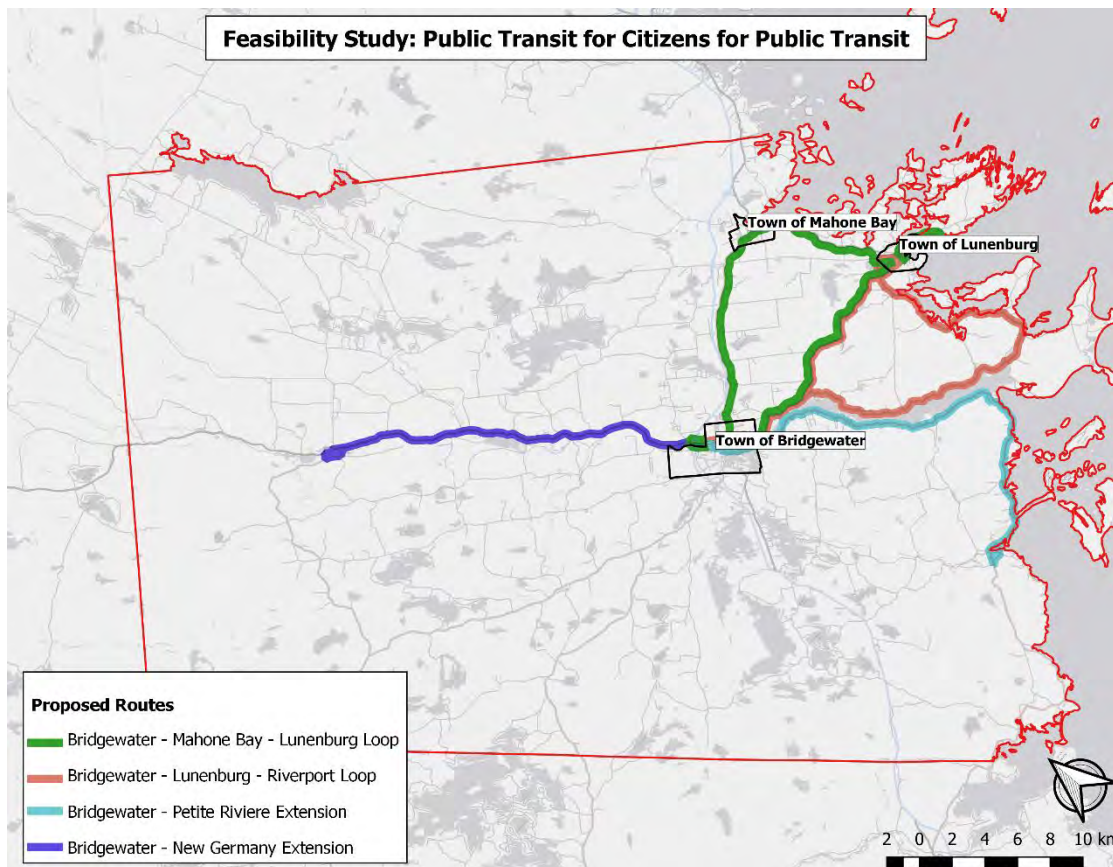


FIGURE 17 POTENTIAL ROUTE CORRIDORS

4.2 Service Options

The design criteria for the route options were derived from the guiding principles developed through the public focus group process, overwhelmingly reported to be accessibility and affordability, with responsive scheduling. Table 3 explains the benefits and constraints of the four service concepts for a public transit system for the County. It is recommended that a Lunenburg County transit system operate as a hybrid fixed route service which focuses on all trips (work and non-work). A secondary, fixed route shared-ride on-call van service could be organized for the less populated areas of the County.



TABLE 3 SERVICE CONCEPTS





Concepts	1. Fixed Route Conventional Transit	2. Fixed Route Community Bus	3. Fixed Route Shared-Ride Taxis	4. On Call
Merits	<ul style="list-style-type: none"> ✓ Highest capacity ✓ Services all markets ✓ Accessible 	<ul style="list-style-type: none"> ✓ Serves more origins and destinations ✓ Accessible 	<ul style="list-style-type: none"> ✓ Ideal feeder service for remote areas ✓ Groups pay a reduced, shared cost 	<ul style="list-style-type: none"> ✓ Applicable to more remote areas ✓ Flexible hours of operation
Demerits	<ul style="list-style-type: none"> ✗ Highest capital and operating costs ✗ Buses would be underutilized in off peak periods 	<ul style="list-style-type: none"> ✗ Not designed for work/school trips 	<ul style="list-style-type: none"> ✗ Minimum capacity 	<ul style="list-style-type: none"> ✗ Lack of frequent daily service ✗ Availability issues could arise

4.3 Vehicle Options

We have reviewed a number of vehicle options that could be considered for a Lunenburg County transit system. These range from the standard urban (conventional) bus, to a variety of smaller cabin chassis community buses with wheelchair ramps or elevators, and including microtransit options using vans. Table 4 summarizes the four main vehicle options, their advantages and disadvantages.

TABLE 4 VEHICLE OPTIONS

Type	1. Standard	2. Small Bus	3. Community Bus	4. Large Van
				
Length	9.3 or 12.2 m	8.8 – 9.2 m	5.9 - 6.7 m	5.9 m
Seats	40	16-28 passengers	10-20 passengers	Up to 10 passengers
Examples in Nova Scotia	Kings Transit Halifax Transit	Halifax Transit Access-a-Ride	Town of Bridgewater Transit	Transport de Clare
Driver's License Type	Class 2	Class 5 (standard)	Class 5 (standard)	Class 5 (standard)
Capital Cost	New: \$535,000 Used: \$45,000- \$65,000	New: \$250,000 Used: \$18,000- \$40,000	New: \$90,000 Used: \$16,000- \$32,000	New: \$50,000 Used: \$16,000- \$18,000
Operating Cost	High	Medium	Low	Lowest
Merits	<ul style="list-style-type: none"> ✓ Medium to high demand routes ✓ Low-floor ✓ Wheelchair accessible ✓ 12+ year life cycle 	<ul style="list-style-type: none"> ✓ Low-floor ✓ Wheelchair accessible ✓ Can be maintained locally by most truck service centres ✓ More versatile than bigger models ✓ Drivers do not need a higher 	<ul style="list-style-type: none"> ✓ Ideal for low demand areas ✓ Wheelchair accessible ✓ Can be maintained locally by most truck service centres 	<ul style="list-style-type: none"> ✓ Ideal for low demand areas ✓ Wheelchair accessible ✓ Can be maintained locally by most auto service centres

Type	1. Standard	2. Small Bus	3. Community Bus	4. Large Van
				
		license to operate bus ✓ 7-10 year life cycle		
Demerits	<ul style="list-style-type: none"> ✗ Longer bus may have issues turning on narrow streets ✗ Higher initial and operating costs ✗ Would need a specialized maintenance depot close by ✗ Driver needs a Class 2 license 	✗ Holds a smaller number of passengers	✗ 5-7 year life cycle	<ul style="list-style-type: none"> ✗ Only 5 year life cycle ✗ Minimum capacity

Throughout the project, and particularly during the consultation process, the use of school buses was suggested as a way of using an existing resource to provide a much needed service in the area. For a number of reasons, the use of school buses is not recommended to provide a regional transit service in Lunenburg County. The reasons that we did not consider this as an option for this study are as follows:

- The vehicles are not designed to transport the general public as they are not outfitted with ramps for wheelchairs or to provide accessible transportation;
- School buses are operated by a private company;
- The existing insurance coverage would likely not meet the requirements for transporting the general public;
- School buses would not be available during the hours that the school children need to be taken to and from school, therefore could not provide a service for people travelling to and from work during those hours.

That being said, this does not preclude a Lunenburg County Transit system from providing connections with the school bus services, perhaps to accommodate children who attend after school programs or have other travel needs.

Considering the Town of Bridgewater example, a Lunenburg County transit service could have the option of acquiring used vehicles from neighbouring municipalities. The Town of Bridgewater was gifted a used small bus from Halifax's Access-a-bus paratransit service. Halifax Transit has recently announced that it would be divesting itself of up to 10 such vehicles. While the opportunity exists to receive and operate one or more of these used vehicles, discussion with Halifax Transit staff revealed that, typically, these vehicles are past their serviceable life and are no longer fit for use. The opportunity also exists to purchase less used vehicles from Halifax Transit, as that service is transitioning to newer vehicles and technology.




Our analysis is based on a review of both new vehicles at market price, and old vehicles, either donated or purchased at discount. The experience of the Town of Bridgewater has been that, while donated or used buses carry low capital costs, they cost up to \$20,000 per year to maintain and repair. New buses, while expensive up front, may cost less than \$5,000 per year to maintain. In the event of a bus breakdown while using an older vehicle within the first few years of service, the entire service may be compromised, requiring additional expenditure to recover.

Depending on the implementation of a public transit service for Lunenburg County, the service may well start with used or donated vehicles, and acquire new vehicles over time, as service demand, ridership, and resulting revenue increase.

4.4 Fare Technology Options

Three main fare options are available to a new transit authority: cash, paper tickets, and some form of online application. Table 5 presents the advantages and disadvantages of each system. Ideally a combination of two or more of these technologies would suit community preference. It is recommended that a Lunenburg County transit authority implement all three as they offer the flexibility needed to cover all users. Input from consultation consistently called for a connected system, both in terms of service, and technology. As society increasingly moves towards digitized services, younger people especially rely more on connected, smart-phone based transactions. A system like HotSpot provides an online app-based platform that may include transit vehicle tracking, fare payment, and transit service information. The HotSpot business model is primarily based on user subscription fees. Purchased fares are remitted to the transit authority as per a service agreement, with no additional costs to the transit authority.

TABLE 5 FARE TECHNOLOGY OPTIONS

Type	1. Cash	2. Bus Tickets	3. HotSpot
			
Examples in Nova Scotia	Halifax Transit Kings Transit	Halifax Transit Kings Transit Town of Yarmouth	Codiac Transport Bridgewater Transit Kings Transit
Merits	<ul style="list-style-type: none"> ✓ Easier for younger and older populations ✓ Beneficial for tourists or people from out of town 	<ul style="list-style-type: none"> ✓ No need to carry cash ✓ Buying weekly or month tickets may be less expensive over longer term 	<ul style="list-style-type: none"> ✓ Automatic payment via phone ✓ No physical equipment needed on the bus ✓ Provides online/app vehicle tracking and service information platform ✓ No cost to the transit authority
Demerits	<ul style="list-style-type: none"> ✗ Only exact change is accepted ✗ Less commitment for long term ridership 	<ul style="list-style-type: none"> ✗ Have to pick up at a specific location before getting on bus (possibly town hall or other public location) 	<ul style="list-style-type: none"> ✗ Not everyone has access to a smartphone ✗ App user pays monthly/yearly

4.5 Bus Stop Options

We propose that a Lunenburg County transit system operate during the pilot period with flag stops along the entire route, to determine where user demand is highest. Within each Town, however, we recommend that there be 2-3 designated stops. These stops would feature prominent signage advertising the transit authority and service, and would cover the most important destinations: i.e. hospitals and major employment/commercial clusters.

The specific placement of these designated stops will remain to be decided by the transit authority that would operate the transit system. Possible locations include:

Community	Location
Town of Bridgewater	Osprey Village Bridgewater Mall South Shore Regional Hospital Lunenburg County Lifestyle Centre (LCLC)
Town of Lunenburg	Fishermen's Memorial Hospital Community Centre Stelia Aerospace High Liner Foods
Town of Mahone Bay	Main Street & Highway 3 RPS Composites

4.6 Estimated Ridership

The GIS analysis undertaken above was extended to produce an estimate of the ridership potential of each route. Catchment areas were developed for each route, assumed to capture all the population within a 600m corridor, equivalent to a 5-minute walk on either side of the bus route. Resulting population catchments are summarized as follows:

- Bridgewater – Mahone Bay – Lunenburg 5,910 people
- Bridgewater – Lunenburg – Riverport 5,700 people
- Bridgewater – LaHave – Petite Rivière 3,220 people
- Bridgewater – New Germany 1,070 people

Review of the Town of Bridgewater Transit experience suggests a transit modal split of 0.6%, or approximately 3 transit trips per year, per person, and roughly 6 passengers per service hour. In the first year of the pilot service, we might expect a more conservative split of 0.3%, equivalent to approximately 1.5 transit trips per year, per person. As the service expands and becomes more accepted, we estimate an additional transit mode increase of 0.1% per year (0.5 transit trips per person), reaching the current Bridgewater Transit ridership level in 5 years.

The proposed transit routes will have total lengths between 50km and 75km. Considering these distances, and depending on the daily service operating time, service frequency may be limited to between 6 and 8 times per day. At this frequency, the ridership estimates above could be accommodated by a Large Van or a wheelchair-accessible Community Bus.

4.7 Implementation Plan and Phasing of Transit Service

The experience of the Town of Bridgewater is very instructive in how a new transit system could be implemented. Considering the many uncertainties about user demand, a pilot service could be implemented initially for the regional transit system, followed by a more comprehensive system with broader coverage. The parameters of such a system would be developed following a functional performance review of the pilot service. In general, the pilot service could commence by following the route from Bridgewater to Mahone Bay, Lunenburg, and back during peak morning and afternoon hours, and following an extended route via Riverport during the middle of the day (off-peak). This is referred to as the “Core Loop Service”. This route could be serviced as a single loop in the first year, and separate into two loops after the first year of service. From this point onward, the second loop would follow the route from Bridgewater to Lunenburg, Riverport and back, via Highway 3 and Route 332. The segment between Bridgewater and Lunenburg would therefore be serviced in both directions. Over the next few years, the service could be expanded to include a shuttle route from Bridgewater to LaHave and Petite Rivière and back to Bridgewater. The service on this route could be scheduled to meet the ferry coming across from Riverport/Rosebay area. Over a five year implementation period, and depending on demand, the service could be expanded to include another shuttle route from Bridgewater to New Germany and back again.

The parameters of the proposed routes are summarized in Table 6.

TABLE 6 ROUTE PARAMETERS

Route	Length	Average Speed	Travel Time	Population 300m
Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	75 km	40 km/h	2 hours	6,460
Bridgewater - Mahone Bay - Lunenburg Loop	55 km	40 km/h	1.5 hours	5,910
Bridgewater - Lunenburg - Riverport Loop	70 km	40 km/h	1.75 hours	5,700
Bridgewater - LaHave - Petite Rivière Extension	70 km	40 km/h	1.75 hours	3,220
Bridgewater - New Germany Extension	50 km	40 km/h	1.25 hours	1,070

The phasing of such a service is summarized in Table 7 and illustrated in Figure 11 to Figure 14. The timing and sequence of service rollout would be confirmed once a Transit Authority is established, and following first year operations and monitoring of service performance.

TABLE 7 TRANSIT SERVICE PHASING

Year	Route	Service	Schedule	Drivers	Vehicle Purchase	Fleet
1	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Peak Hours Monday-Saturday	1 full time 1 part-time	1 New Large Van	1 New Large Van
	Bridgewater - Mahone Bay - Lunenburg - Riverport via Route 332	Extended Loop Service	Off-Peak Hours Monday-Saturday pre-booking			
2	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time	1 New Large Van	2 New Large Vans
	Bridgewater - Lunenburg - Riverport via Highway 3 and Route 332	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		
3	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time	1 New Community Bus	2 New Large Vans 1 New Community Bus
	Bridgewater - Lunenburg - Riverport via Highway 3 and Route 332	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		
	Bridgewater - LaHave - Petite-Rivière via Route 331	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		
4	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time	1 New Community Bus	2 New Large Vans 2 New Community Bus
	Bridgewater - Lunenburg - Riverport via Highway 3 and Route 332	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		
	Bridgewater - LaHave - Petite-Rivière via Route 331	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		
	Bridgewater - New-Germany via Highway 10	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		
5	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		2 New Large Vans 2 New Community Bus
	Bridgewater - Lunenburg - Riverport via Highway 3 and Route 332	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		
	Bridgewater - LaHave - Petite-Rivière via Route 331	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		
	Bridgewater - New-Germany via Highway 10	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		

Feasibility Study: Public Transit for Citizens for Public Transit

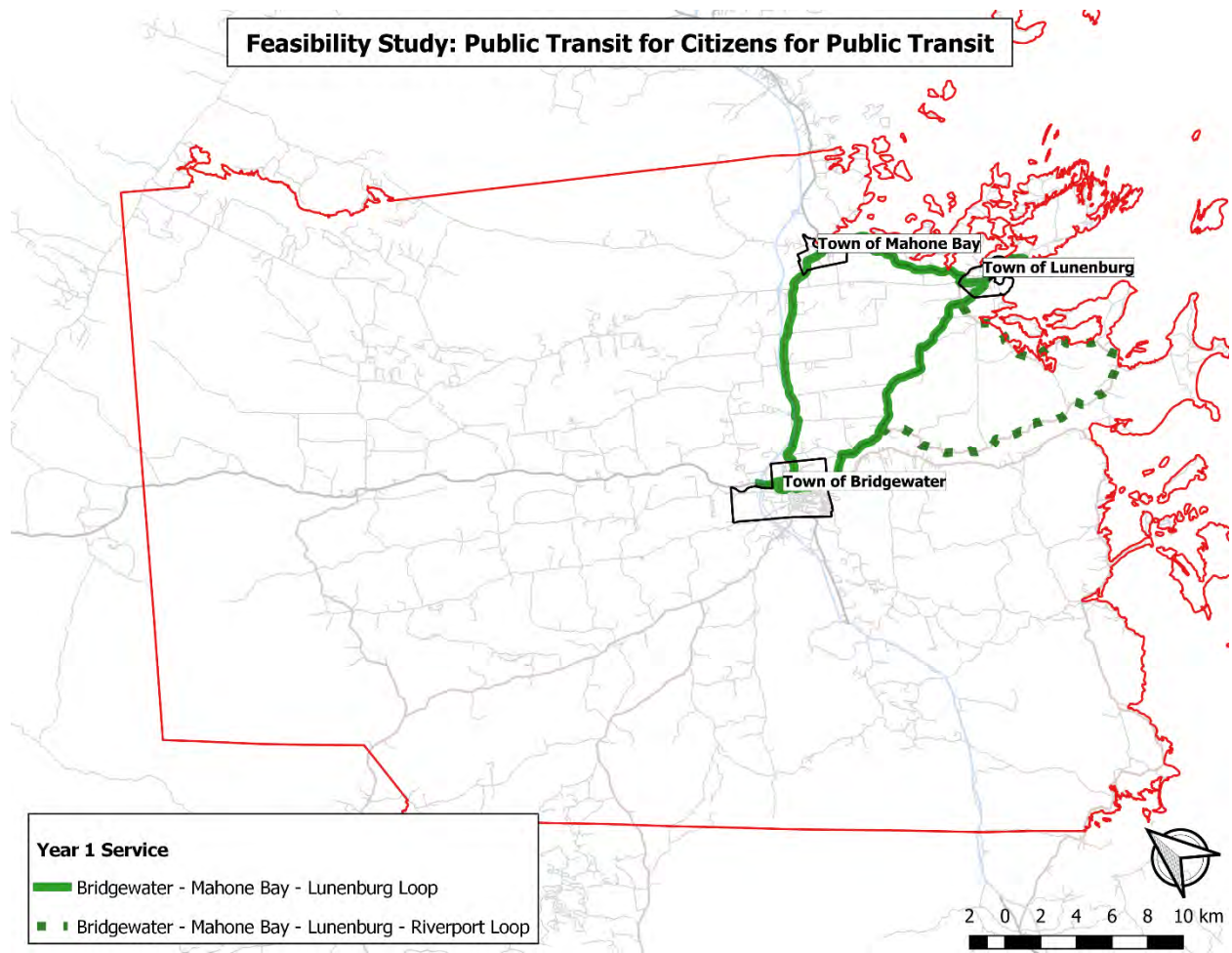


FIGURE 11 YEAR 1 SERVICE

Feasibility Study: Public Transit for Citizens for Public Transit

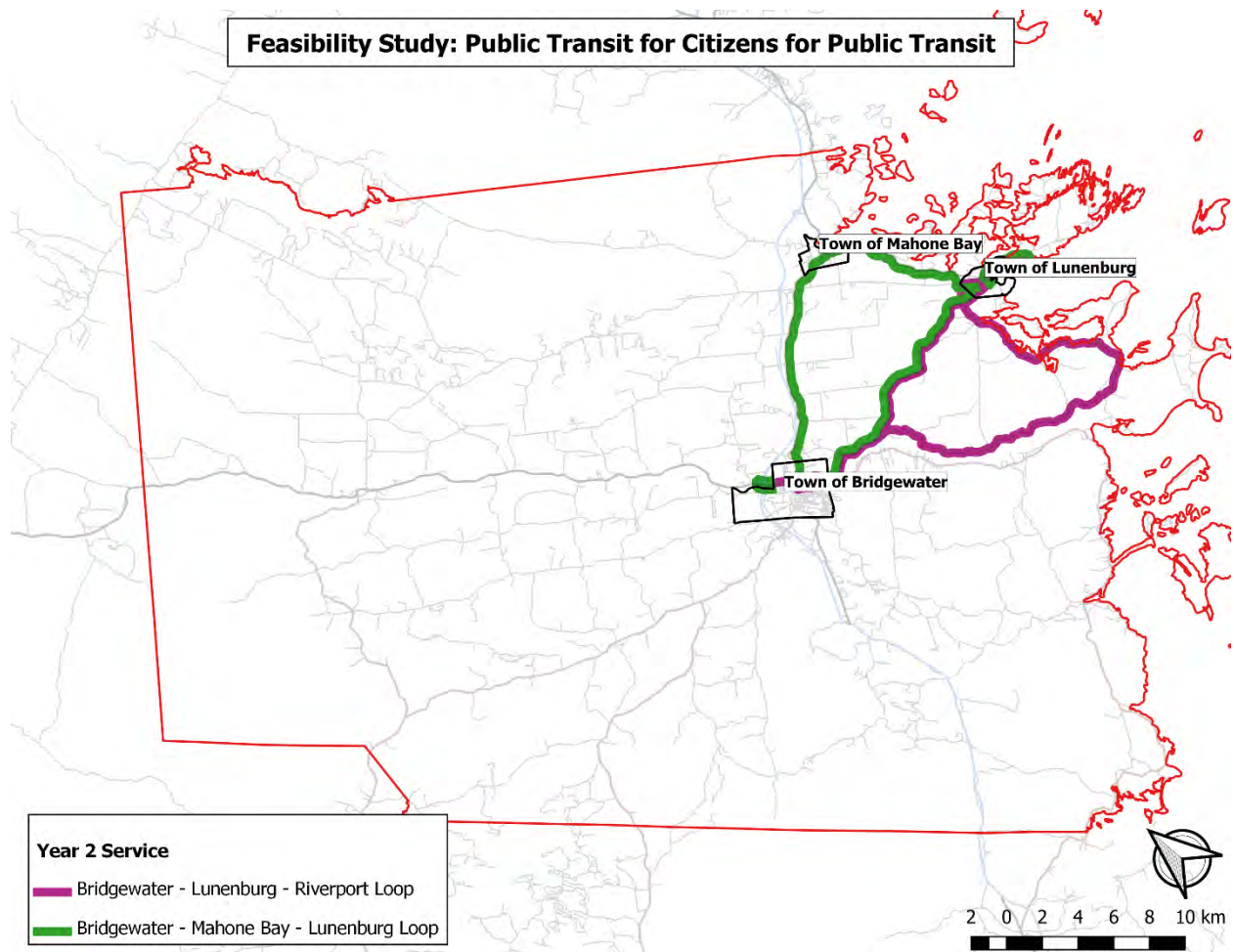


FIGURE 12 YEAR 2 SERVICE

Feasibility Study: Public Transit for Citizens for Public Transit

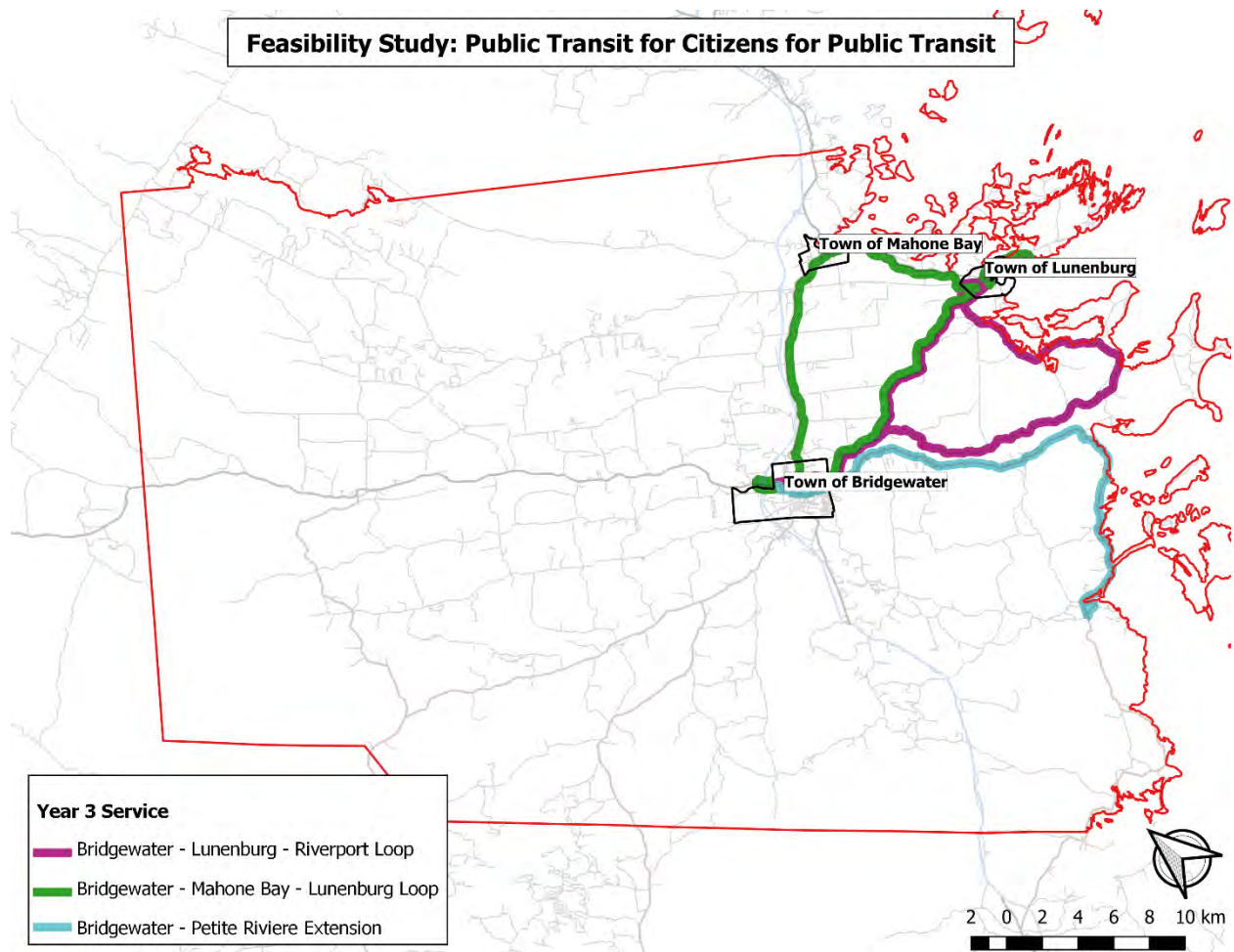


FIGURE 13 YEAR 3 SERVICE

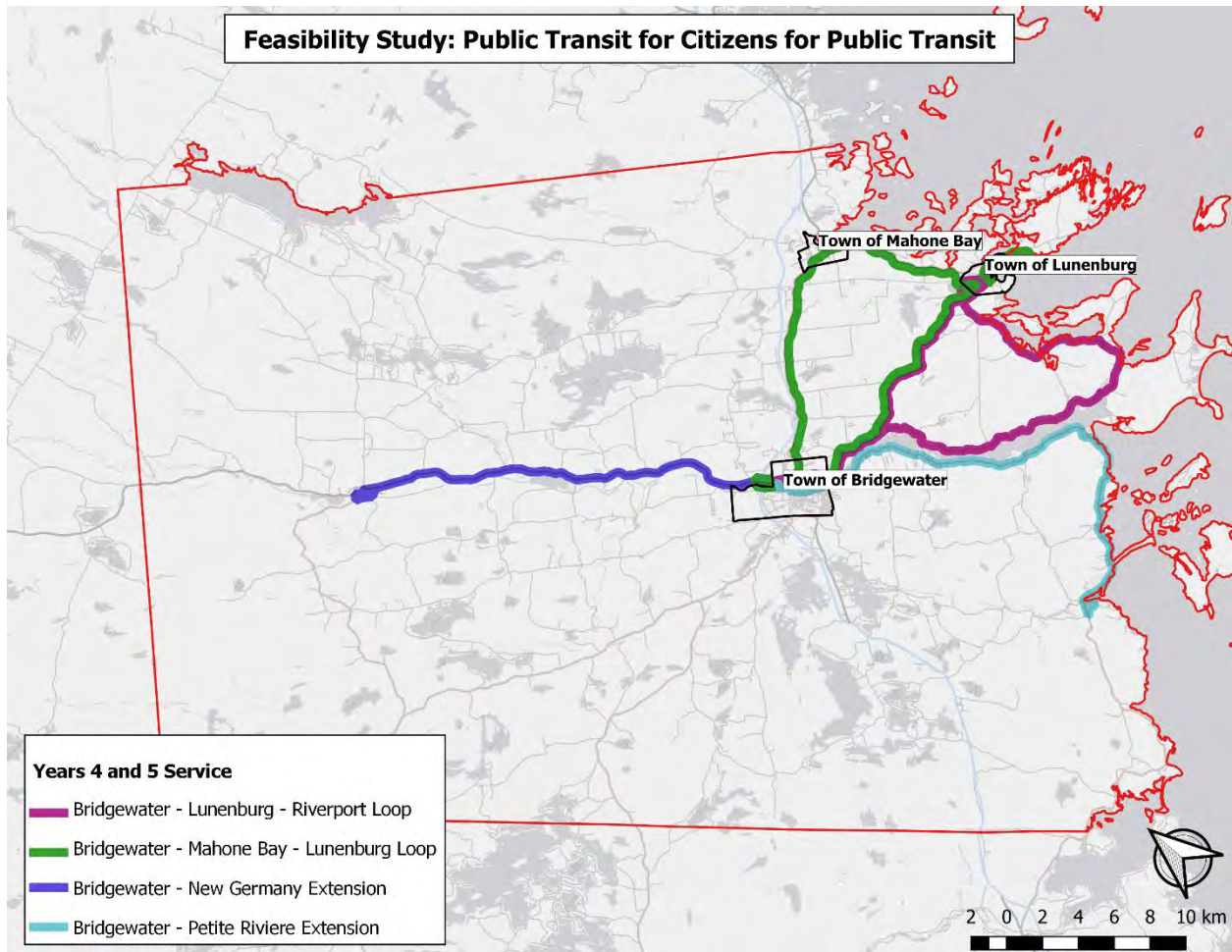


FIGURE 14 YEARS 4 AND 5 SERVICE

Chapter 5 Financial Feasibility Assessment

5.1 Costing

Through discussions with the Kings Transit Authority, and Bridgewater Transit, we have considered the costs of a regional public transit system in Lunenburg County. There are two key financial components to such a system:

- Operating budget; and
- Capital budget.

The operating budget takes into consideration the number of service hours, operational expenses such as driver's salaries, fuel for the vehicle, licence and administrative fees etc.

Capital costs include the purchase of the bus or transit vehicles, as well as any infrastructure such as bus stops and shelters, and other one-time equipment purchases.

Anticipated revenue from the service would be based on the level of ridership and fare amount.

As the study progressed, we looked into the necessary components of both budgets for a Lunenburg County public transit system. The various costs associated with implementing a public transit system, and the potential ridership and revenue obtained through operating the service, are summarized in **Appendix D**.

Costs were estimated on a five-year basis. The first year would operate as a pilot demonstration, with the service being expanded and extended over the following years, as described in **Section 4.7**.

The resulting costs for each year of operation are summarized and rounded to the nearest \$5,000 in Table 8 and are presented in detail in **Appendix D**.

TABLE 8 TRANSIT SERVICE COST SUMMARY

Service	Year 1		Year 2		Year 3			Year 4				Year 5			
	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Lunenburg - Riverport Loop	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - New Germany Extension	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - New Germany Extension
	Peak	Extended	Fixed	Fixed	Fixed	Fixed	Extended	Fixed	Fixed	Extended	Extended	Fixed	Fixed	Extended	Extended
Vehicle	Van New	Van New	Van New	Van New	Community Bus New	Van New	Van New	Community Bus New	Community Bus New	Van New	Van New	Community Bus New	Community Bus New	Van New	Van New
Number of vehicles	1		1	1	1	1	1	1	1	1	1	1	1	1	1
Number of stops	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Number of full-time drivers	1		1	1	1	1	1	1	1	1	1	1	1	1	1
Number of part-time drivers	1		1	1	1	1	1	1	1	1	1	1	1	1	1
Route Length (km)	55	75	55	70	55	75	70	55	75	70	50	55	75	70	50
Route Travel Time (hours)	1.50	2.00	1.50	1.75	1.50	2.00	1.75	1.50	2.00	1.75	1.25	1.50	2.00	1.75	1.25
Route Catchment Population (within 300m)	5910	6460	5910	5700	5910	6460	3220	5910	6460	3220	1070	5910	6460	3220	1070
Estimated Yearly Transit Ridership per Person	1.50	0.25	2.00	2.00	2.50	2.50	1.50	3.00	3.00	1.75	1.50	4.00	4.00	2.00	1.75
Estimated Yearly Transit Ridership	8865	1615	11820	11400	14775	16150	4830	17730	19380	5635	1605	23640	25840	6440	1873
Route Service Hours per Day	7.0	4.0	12	12	12	12	4.0	12	12	4.0	4.0	12	12	4.0	4.0
Route Operating Hours per Year (+ Dead-Head)	2158	1404	3692	3692	3692	3692	1404	3692	3692	1404	1404	3692	3692	1404	1404
Number of Route Runs per Day	4	2	8	6	8	6	2	8	6	2	3	8	6	2	3
Number of Route Runs per Year	1248	624	2496	1872	2496	1872	624	2496	1872	624	936	2496	1872	624	936
Route Annual km Travelled	68640	46800	137280	131040	137280	140400	43680	137280	140400	43680	46800	137280	140400	43680	46800
Vehicle Fare	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 10.00	\$ 10.00	\$ 3.50	\$ 3.50	\$ 10.00	\$ 10.00
Vehicle Fuel Economy (L/100km)	14	14	14	14	20	14	14	20	20	14	14	20	20	14	14
TOTAL OPERATING COSTS	\$ 210,000.00	\$ 210,000.00	\$ 330,000.00	\$ 330,000.00	\$ 395,000.00	\$ 395,000.00	\$ 395,000.00	\$ 460,000.00	\$ 460,000.00	\$ 460,000.00	\$ 460,000.00	\$ 460,000.00	\$ 460,000.00	\$ 460,000.00	\$ 460,000.00
TOTAL CAPITAL COSTS	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
TOTAL COSTS (OPERATING + CAPITAL)	\$ 265,000.00	\$ 265,000.00	\$ 385,000.00	\$ 385,000.00	\$ 490,000.00	\$ 490,000.00	\$ 490,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00
TOTAL REVENUE	\$ 40,000.00	\$ 40,000.00	\$ 85,000.00	\$ 85,000.00	\$ 135,000.00	\$ 135,000.00	\$ 135,000.00	\$ 210,000.00	\$ 210,000.00	\$ 210,000.00	\$ 210,000.00	\$ 210,000.00	\$ 210,000.00	\$ 210,000.00	\$ 210,000.00
NET COST (TOTAL REVENUE - TOTAL COSTS)	-\$230,000.00	-\$230,000.00	-\$300,000.00	-\$300,000.00	-\$360,000.00	-\$360,000.00	-\$360,000.00	-\$345,000.00	-\$345,000.00	-\$345,000.00	-\$345,000.00	-\$345,000.00	-\$345,000.00	-\$345,000.00	-\$345,000.00

5.2 Funding Options

There is little doubt that providing a reliable, affordable and connected public transit system could improve quality of life for many people. While the costing exercise has found that the costs of a Lunenburg County transit service cannot be covered through advertising and fares alone, additional funding mechanisms are available at the provincial and federal levels.

According to the Infrastructure Canada webpage, investments in rural and northern infrastructure will help grow local economies, build stronger, more inclusive communities, and help safeguard the environment and the health of Canadians.

There are infrastructure dollars available from a number of programs as described in the following sections.

5.2.1 Federal Funding Streams

Because rural and northern communities have unique infrastructure needs that require a more targeted approach, the Federal Government will invest \$2 billion over the next decade to support a broad range of infrastructure projects, to be allocated to provinces and territories on a base plus per capita allocation basis [<https://www.infrastructure.gc.ca/plan/rnc-crn-eng.html>].

Through the Public Transit Infrastructure Fund (PTIF), Budget 2016 focused on making immediate investments of \$3.4 billion over three years, to upgrade and improve public transit systems across Canada. PTIF will provide short-term funding to help accelerate municipal investments to support the rehabilitation of transit systems, new capital projects, and planning and studies for future transit expansion to foster long-term transit plans.

To support the next phase of ambitious public transit projects, through Budget 2017 the Government will invest \$25.3 billion over the next decade, including \$5 billion invested by the Canada Infrastructure Bank.

Through new bilateral agreements with provinces and territories, the Public Transit stream will provide provinces, territories and municipalities with funding to address the new construction, expansion, and improvement and rehabilitation of public transit infrastructure, and active transportation projects [<https://www.infrastructure.gc.ca/plan/pti-itc-eng.html>].

5.2.2 Provincial Funding Streams

The Province of Nova Scotia has introduced the Public Transit Assistance Program (PTAP). It allows municipalities and community organizations to apply for funding to buy capital assets like vehicles, for fixed-route transit services. The funding is not intended to offset the cost of operating transit services. Based on funding levels provided to other fixed route services it is estimated that a new service could receive up to \$25,000 in annual capital funding.

Another potential funding source could be the Low Carbon Communities & Connect2 fund, which is designed to help communities save money and reduce emissions. This grant program is

administered through the Nova Scotia Department of Energy and Mines. It covers three focus areas: buildings, electricity and transportation. Under the transportation stream's Connect2 program, pilot projects proposing shared mobility services may qualify for grants of up to \$75,000. <https://novascotia.ca/low-carbon-communities/>.

Chapter 6 Governance Assessment

The proposed transit system for Lunenburg County presents a higher complexity over typical transit systems in that it consists of a service across a number of municipal boundaries. Municipalities in Nova Scotia are incorporated on a single-tier hierarchy: Towns, District municipalities, Regional municipalities and County municipalities all have parallel jurisdictions. The only authority above this structure is the provincial government. However, since the provision of transit services is a municipal, not a provincial responsibility, another service delivery mechanism is required.

Several governance structures are available, ranging from fully public, to fully private. Each structure has certain merits, and presents different advantages and disadvantages to a cross-boundary system such as the one proposed for Lunenburg County. Table 9 describes the type of governance structures that could be adopted for a Lunenburg County transit system.

TABLE 9 GOVERNANCE OPTIONS

Type	1. Public Municipal Transit System	2. Public Management and Private Operations/ Maintenance	3. Delegated Private Management and Operations/ Maintenance	4. Private System
Description	<ul style="list-style-type: none"> All aspects of the transit service are a public responsibility, including maintenance and operation being provided by public sector employees. 	<ul style="list-style-type: none"> The municipality is responsible for subsidizing all operating losses. Governance is often the responsibility of the municipal council, or publicly appointed board. 	<ul style="list-style-type: none"> The municipality owns and is responsible to ensure the transit service is provided. The management, maintenance and operation of the vehicles is delegated to a third party service provider. 	<ul style="list-style-type: none"> A private corporation owns, manages, operates and maintains the system

The consultation process considered all of these governance structures and delivery mechanisms; most importantly, however, it was felt that a publicly-owned and operated system was most in keeping with the goals and vision of Lunenburg County residents.

A private system has the advantage of leveraging existing service providers. Services like Maritime Bus already operate a regional bus system that is well connected to major hubs in the Atlantic region. On a smaller scale, the example of the rural Town of Innisfil in Ontario is telling. The Town entered into an agreement with the ride-sharing service Uber to provide transportation services in the rural municipality. The Town compensates Uber for every ride taken by Town residents. While this system has been very successful, the Town has found that its costs significantly exceed the initial forecasted costs of a municipal transit system. The main issue is that Uber offers no economies of scale: the higher the usage, the higher the costs. A municipal bus system, in comparison, offers the potential for economies of scale by carrying a higher number of patrons on every ride. The resulting net cost per kilometer travelled is therefore reduced.

A private system is also ultimately guided by profitability. As observed in the case of Maritime Bus, there is no guarantee of service, if routes are not profitable. As demonstrated in Table 7, however, a Lunenburg County transit service would not be profitable, under basic operating assumptions. A form of public system would therefore be preferable to a private system.

Drawing from the experience of Kings Transit Authority, several municipalities could enter into an Inter-Municipal Service Agreement, whereby they each contribute to the operating and capital funds of an arms-length transit corporation, which in turn owns and operates the transit service. A transit authority would be established, with a Board of Directors including members from all participating jurisdictions.

Considering that the Town of Bridgewater has already started a transit service, the opportunity also exists for Town of Bridgewater to extend this service to the rest of Lunenburg Transit along the routes proposed in Chapter 4 , through an Inter-Municipal Service Agreement, with contributions from participating municipalities proportional to the size of their populations.

Chapter 7 Conclusions

This Feasibility Study has assessed transportation needs throughout Lunenburg County, with the aim of identifying the feasibility of implementing a transit system. Through review of census data, and extensive public and stakeholder consultation, it was found that there is significant travel activity between the municipalities within Lunenburg County, for work, school and discretionary (non-work) trips. At the same time, several dynamics (including lack of access to a private vehicle, low-income, or age or illness related issues) increasingly reduce residents' mobility and access to the services they need.

At the forefront, we note the trend towards a population looking to “age in place”, and needing dependable and consistent access to services (medical, shopping, socializing). Equally important, we found a disconnect between employers' access to Lunenburg County's workforce, and employees unable to travel to employment locations. Lastly, students and young people have limited access to programmed activities, summer jobs, and leisure destinations, if they cannot be driven around, are not able to afford to live close to where they work, or have access to their own vehicle.

Considering these needs, and the widely dispersed nature of communities in Lunenburg County, we sought to develop a responsive pilot transit service. Four main service corridors were identified, connecting into the Town of Bridgewater as the regional hub:

- Bridgewater – Mahone Bay – Lunenburg
- Bridgewater – Lunenburg – Riverport
- Bridgewater – LaHave – Petite Rivière
- Bridgewater – New Germany

Through discussions with recently-implemented transit systems in the Town of Bridgewater, and longer standing systems in Annapolis Valley (Kings Transit Authority), we developed an initial Core Loop peak hour service, with extended off-peak service. We found that, due to long distances that would have to be travelled, and the relatively low population density in Lunenburg County, a transit service would not be profitable, and would not cover operating costs based on fare recovery alone.

However, we do believe that a transit service is feasible with funding from federal and provincial sources to complement the fare revenue, which could be established through a shorter, pilot route, the Bridgewater – Mahone Bay – Lunenburg – Riverport route, that if successful could be extended to include the other routes to LaHave and Petite Rivière, and perhaps New Germany. We have identified principal federal and provincial funding sources that are intended to offset a part of transit system capital and operating costs. A Lunenburg County Transit Authority would have to apply for grants under the applicable funds.

7.1 Next Steps

To initiate a Lunenburg County transit system, the following steps will need to be taken:

- CPT to present the study to all four town and municipal councils and Mayors;
- CPT to present the study to provincial representatives and Nova Scotia Communities, Culture and Heritage who have funded the study;
- Confirm participating jurisdictions;
- Sign an Inter-Municipal Service Agreement, establishing a Lunenburg County Transit Authority and a Board of Directors;
- Set transit authority charter and policies;
- Confirm bus routes and bus stops in consultation with participating jurisdictions and Councils;
- Determine fare structure;
- Develop service plan;
- Establish operating and capital budgets;
- Apply for funding;
- Acquire UARB service operating licensing;
- Liaise with other local transit systems/organizations (Senior Wheels, Chester Community Wheels, Queens County Transit, Maritime Bus, school bus services, Cloud Nine Shuttle, Alternative Routes etc.).

As for the Citizens for Public Transit Board, we believe that it is essential that they continue to play a part in establishing the transit system due to their long-term commitment to bringing a service to the region, their existing contacts and influence, and their continued enthusiasm to seeing their mission completed. One suggestion would be for CPT to be represented on the Board of Directors of a newly formed Lunenburg County Transit Authority.

Appendix A

Focus Group Invitation and Materials, Responses

WANT A BUS SYSTEM FOR LUNENBURG COUNTY?



Come learn about efforts to make this happen and to contribute your ideas!

**May 13, 2019, from 4:30 - 6 pm
Lunenburg Fire Hall - 25 Medway St**

**For more information, please contact Citizens for Public Transit
(902) 543-5541 | cpt@bellaliant.net**

We welcome you to attend our focus group meetings, and to participate in our online survey. A hard copy of the survey can also be obtained and dropped off at town/municipal offices. Please participate in our online survey at

www.transitlunenburg.ca/LunenburgCountyTransit

WANT A BUS SYSTEM FOR LUNENBURG COUNTY?



Come learn about efforts to make this happen and to contribute your ideas!

**Wednesday, June 12, 2-4 p.m.,
Mahone Bay Centre, 45 School Street,
Large Conference Room 307**

**Wednesday, June 12, 6-8 p.m.,
LaHave Bakery, 3421 Hwy 331,
La Have, 2nd floor**

**For more information, please contact Citizens for Public Transit
(902) 543-5541 | cpt@bellaliant.net**

We welcome you to attend our focus group meetings, and to participate in our online survey. A hard copy of the survey can also be obtained and dropped off at town/municipal offices. Please participate in our online survey at

www.transitlunenburg.ca/LunenburgCountyTransit

How can public transportation benefit you, your family and your community?>

Record	Focus Group	Group	Comment
1001	1	1	Parking solution in tourist season
1002	1	1	Can travel when weather and roads are bad
1003	1	1	Facilitates social interaction and builds community links
1004	1	1	opportunities for cultural exchange (eg.Muscians on bus)
1005	1	1	Keep seniors in homes and communities
1006	1	1	People encouraged to use buses for restaurants and bars (Avoid drinking and driving)
1007	1	1	Using buses/public transit helps make a greener environment for all of us
1008	1	1	Relax on public transit (stress free) can read,knit etc
1009	1	2	Potential Route- Riverport to Lahave ferry to Bridgewater with stops
1010	1	2	Carry loads that I can't carry on my bike
1011	1	2	Combo ->eg. Bike + bus
1012	1	2	Weather alternatives - A ferry from Riverport - Lahave - Lunenburg - Brdgewater with stops
1013	1	2	Save gas- Carbon emissions
1014	1	2	Chat, build community relationship
1015	1	2	Read on the go, wifi work while you travel
1016	1	2	If you can commute to work -->community growth, more options to stay
1017	1	2	Winter travel options
1018	1	2	Fewer cars on the road
1019	1	2	Benefit people with accessibility/Mobility issue, support for diverse community
1020	1	2	Night time options - travel to/from concerts, movies,events
1021	1	2	Employers buy bus passes for staff
1022	1	2	Corporate sponsors (Plastics factory, restaurants, smaller businesses)
1023	1	2	Bridgewater, Lunenburg link up
1024	1	2	Churches, Senior homes
1025	1	3	Get people out of the house more
1026	1	3	Good for seniors + people with disabilities
1027	1	3	Good for responsible drinking + cannabis
1028	1	3	Good for medical appointments + errand
1029	1	3	Good for appointment where you can't drive after
1030	1	3	Potentially good for commuting if service hours are appropriate (work + after school)
1031	1	3	People with part time jobs
1032	1	3	To go shopping
1033	1	3	Getting tourists around
1034	1	3	Good for young people + new Canadians
1035	1	3	Good for health
1036	1	3	Good to go to local events
1037	1	4	Electric Buses = Less pollution
1038	1	4	Independence for non-car owners or non-drivers
1039	1	4	Takes a lot of bad drivers off the road. Ie tailgaters or slow pokes
1040	1	4	Attract people to move here.
1041	1	4	Community buildings- meet people at the bus stop and on the bus. Good way to keep warm or entertained
1042	1	4	Less need for parking spaces
1043	1	4	Less cars per household- less car costs gas, insurance. Family fight reduced
1044	1	5	Less money spend on gas, car repairs
1045	1	5	Spend less for Parking
1046	1	5	Don't have license but need reliable transit to get to work
1047	1	5	Better connection with family members in other towns
1048	1	5	Good for business
1049	1	5	Good for mental health, inter communication between communities
1050	1	5	Benefits for environment
1051	1	5	Reduction in potential traffic
1052	1	6	More convenient access to entertainment and shopping venues
1053	1	6	Employment
1054	1	6	Everyday service or twice a week service
1055	1	6	Medical/dental appointment
1056	1	6	Combat loneliness for older people - Volunteer drives
1057	1	6	Corporate sponsor a bus once a week to go shopping, specially in rural areas
1058	MB	3	Start 6:00 Bridgewater, main loop to Lunenburg. Express Lunenburg to Bridgewater
1059	MB	3	Offset Departure between 2 buses
1060	MB	3	Slack gives people to run errand and catch return bus
1061	MB	3	Later service
1062	MB	3	Flex- Call ahead for stop, Night before/Online/app
1063	MB	3	Shuttle
1064	MB	1	Help break isolation
1065	MB	1	Bring the county together
1066	MB	1	Give people access to services
1067	MB	1	Well being, knowing you can see others - Social life
1068	MB	1	Access to jobs
1069	MB	2	Health connections

1070	MB	2	Shopping - food & other
1071	MB	2	Committee meetings & other meetings
1072	MB	2	Social connections - dining/friends
1073	MB	2	Access to gout. Services & represent actives
1074	MB	2	Library & Recreationed services (Lunenburg & Bridgewater) - Spots, concerts & yoga/ Tai Chi etc
1075	MB	2	Entertainment (sports, concerts, mouics)
1076	MB	2	High school/ community college/extra curricular
1077	MB	2	Job opportunities
1078	MB	2	Professional services
1079	MB	2	Visits to nursing/Hospitals/care facilities
1080	MB	2	access to parks/beaches/lakes
1081	LH	1	Retired if few demands, but have appointments/shopping
1082	LH	1	Appointments 2 times per week +/-
1083	LH	1	Trips to the Library
1084	LH	1	Shopping, dentist, doctor, change of pase, beach etc
1085	LH	1	Medical serivces (eg. Chester)
1086	LH	1	Volunteer activeties
1087	LH	1	Meethings
1088	LH	1	Recreation outings
1089	LH	1	shopping
1090	LH	1	Increase number of people coming into this community, accessing shops, artistic/Galleries/ beach/winery
1091	LH	1	Tourist actives = increase for local people
1092	LH	1	Seasonal actives @ beaches etc
1093	LH	1	Environmental
1094	LH	1	Social
1095	LH	1	Essential Service
1096	LH	1	commercial
1097	LH	1	Culture
1098	LH	2	Not having to own car
1099	LH	2	Less fossil fuel burning (enviornment)
1100	LH	2	Not having to ferry children always by car
1101	LH	2	Connecting to Halifax bus
1102	LH	2	Access to community programs
1103	LH	2	Social benefit: meeting others
1104	1	2	Fitness benefit
1105	1	2	Not being vulnerable when aging (getting stuck at home)
1106	1	2	Connecting with family - Less trips to pick up and drop off
1107	1	2	Conscious travel decisions
1108	1	2	** Winter options
1109	1	2	More access to rec. resources
1110	1	2	Positive retail impacts
1111	1	2	reduce congestion in towns
1112	1	2	productive time on bus (Reading)

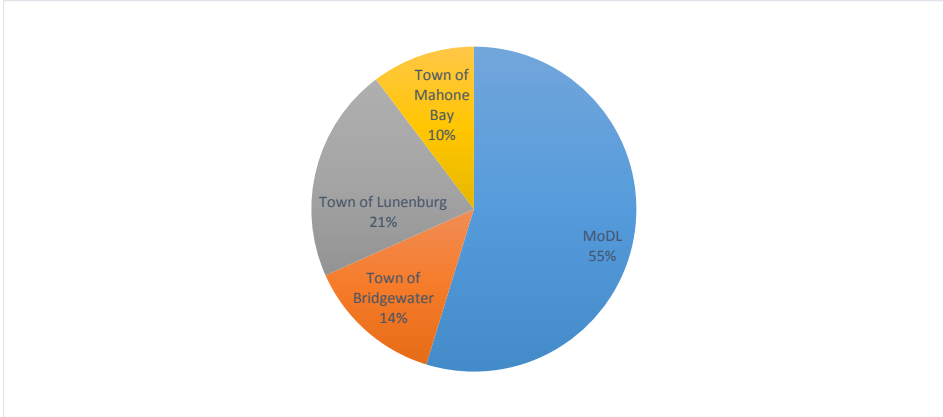
What are the guiding principles for a bus system in Lunenburg County?

Record	Focus Group	Comment
2059	1	Helpful for old people
2004	1	Accessible
2012	1	Accessible
2048	1	Accessibility for all (not necessarily geographically but physically)
2079	1	Accessible
2081	1	Accessible
2084	1	Accessible
2086	1	Accessible
2088	1	Accessible
2092	1	Accessible
2094	1	Accessible
2099	1	Accessible
2007	1	Accountable
2080	1	Affordable
2082	1	Affordable
2087	1	Affordable
2093	1	Affordable
2096	1	Affordable
2008	1	Affordable
2056	1	Monthly pass
2028	1	No food on buses
2010	1	Comfortable
2025	1	Sheltered bus stops
2052	1	Community focused - can do special event markets festival etc
2032	1	Connecting
2037	1	Route-Logical
2041	1	Connect to other transit systems
2046	1	Efficient route and most convenient for the riders
2065	1	Joint public and school bus collaboration and routes
2066	1	Dial a ride to connect remote rural communities
2090	1	Connecting
2078	1	Consistent
2098	1	Consistent
2006	1	Convenient
2009	1	Stop options on request (with reason)
2026	1	Convenience
2047	1	Convenience sufficient to be "culture challenging" (combating car dependency as primary influence)
2074	1	Non rush hour (shopping & Social purpose)
2015	1	Get sponsorship: NSCC, Businesses, shopping centres.
2016	1	Annual membership - funded by employers
2063	1	Corporate sponsored including billboard advertising on the bus
2020	1	Cost
2069	1	Free or low cost, more riders save on admin
2075	1	Be able to go to Bridgewater shop 2 hrs, onto Mahone bay, then to Lunenburg- One flexible fare
2001	1	Dependable
2003	1	Efficient (most people on the shortest route)
2040	1	Energy efficient
2042	1	Clean technology
2054	1	Environmental friendly/Green energy
2057	1	More green options
2061	1	Electric
2070	1	Day fares, frequency service, multi modal
2076	1	Frequent

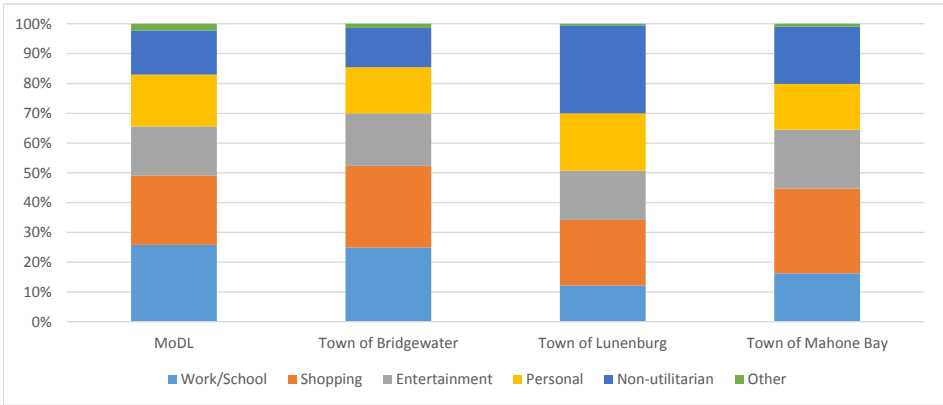
2022	1	Health
2023	1	Support active transport
2024	1	Can live in rural area (less expensive) good for families
2058	1	Good for non driver
2049	1	Reinforcing the idea of pop density & economic hubs within towns/urban centers as the proven land use plan
2014	1	Concept: New germany -> BW, Bridgewater -> BW, Cargo bike racks and storage, Dial a ride
2039	1	Bike racks
2053	1	Can take bicycles, wheelchair and service animals
2011	1	Predictable
2055	1	High visibility stop community profile
2067	1	Well promoted
2017	1	Municipality (MODL) responsible for finding funding
2019	1	secure public subsidy (re-structure provincial system so province can contribute
2060	1	Subsidized
2071	1	Subsidized (for continual service)
2073	1	A service, not profit making
2005	1	Reliable
2050	1	Reliability so people can depend on it (again to chip away at car dependency)
2002	1	Safe
2029	1	Seatbelts
2030	1	Mandatory seat belts
2031	1	Trained drivers with authority to remove abusive passengers
2035	1	Safe for women and children
2038	1	Driver has autonomy to keep bus safe and "remove" problematic passengers
2044	1	Watchful of those who need help
2045	1	Stops well marked
2018	1	Organic Growth: System to evolve from existing services initiatives
2027	1	Times/Logical
2033	1	Regular
2034	1	Appropriate hours of operation
2036	1	Scheduling- very hard to accommodate
2043	1	Fixed schedule
2062	1	Regular service several times per day
2083	1	Seatbelts
2085	1	Seatbelts
2072	1	Speeds and frequency
2097	1	subsidized
2013	1	Sustainable
2077	1	Financially sustainable
2089	1	Sustainable
2091	1	Sustainable
2095	1	Sustainable
2064	1	Useful for everyone
2051	1	Able to demonstrate economic benefit (Credible counter argument to "subsidy" mentality)
2021	1	Wifi connect
2068	1	Fuel services e.g. Beach bus
2069	MB	Fixed Route
2070	MB	Frequent
2071	MB	Scheduled
2072	MB	Accessible
2073	MB	Affordable
2074	MB	Public Transit
2075	MB	Reliable
2076	MB	Connected
2077	MB	Well-Being
2078	MB	Pet Friendly

2079	MB	Long term plan
2080	MB	Time schedules realistic
2081	MB	Link as many communities as possible
2082	MB	Accessible vehicles
2083	MB	Good color, for route - well mapped
2084	MB	Safe Access covered wait area
2085	MB	Affordable
2086	MB	Combine with school bus system with back road system
2087	MB	Frequent Stops
2088	MB	Easy access
2089	MB	Accessibilty
2090	MB	Reliability
2091	MB	Safe
2092	MB	Reliable
2093	MB	Sustainable
2094	MB	Affordable (to riders & funding agency)
2095	MB	Handycapped assistance
2096	MB	Frequency
2097	MB	Affordable
2098	MB	Accessible
2099	MB	Sustainable (Environment)
2100	MB	Predictable (schedule)
2101	MB	Active
2102	MB	Timely
2103	MB	Coat
2104	MB	Frequency
2105	MB	Access
2106	MB	more stops
2107	MB	Meeting needs
2108	MB	meeting wishes
2109	MB	convenient
2110	LH	Need Schedules of shift numbers
2111	LH	3 towns shore road
2112	LH	Area chaning, immigrants, yound families, affordable province.
2113	LH	Older folks unable to drive in future - Need PT
2114	LH	Availbale (Historical routes to liverpool and yarmouth twice a day)
2115	LH	return to what used to work, if unable to drive - couldn't live in rural NS.
2116	LH	Public transit as a service, what does the future look like?
2117	LH	aging in place, mobility. Special events & visitors on the weekend
2118	LH	Conveient route to Mahone bay + Lunenburg + Rose bay + Bridgewater
2119	LH	Accessible
2120	LH	Flexiable in days and evening
2121	LH	Comfortable
2122	LH	Electric (enviormental friendly)
2123	LH	Predictable
2124	LH	Accessible
2125	LH	Affordable
2126	LH	Convenient access
2127	LH	Reasonable coat
2128	LH	Affordable
2129	LH	Sustainable
2130	LH	Convenient
2131	LH	Affordable
2132	LH	Regular access

Participation	Grand Total
MoDL	133
Town of Bridgewater	33
Town of Lunenburg	52
Town of Mahone Bay	25
	243

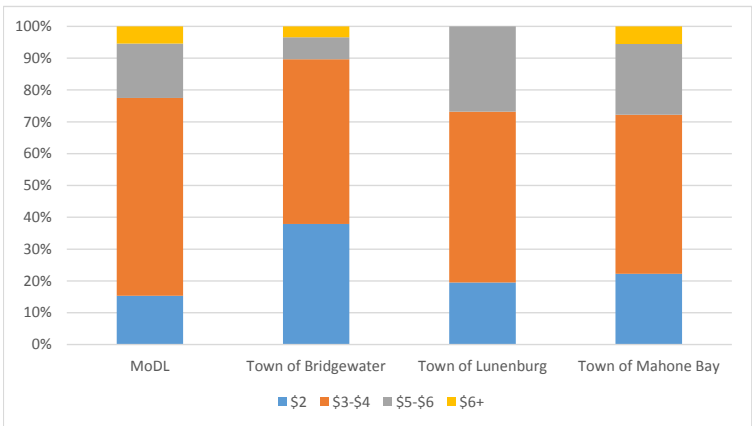


Trip Purpose	Work/School	Shopping	Entertainment	Personal	Non-utilitarian	Other	
MoDL	488	441	311	329	280	42	
Town of Bridgewater	181	199	128	112	96	10	
Town of Lunenburg	104	188	142	164	253	4	
Town of Mahone Bay	55	96	67	52	65	3	
	828	924	648	657	694	59	3810
	22%	24%	17%	17%	18%	2%	15.679012



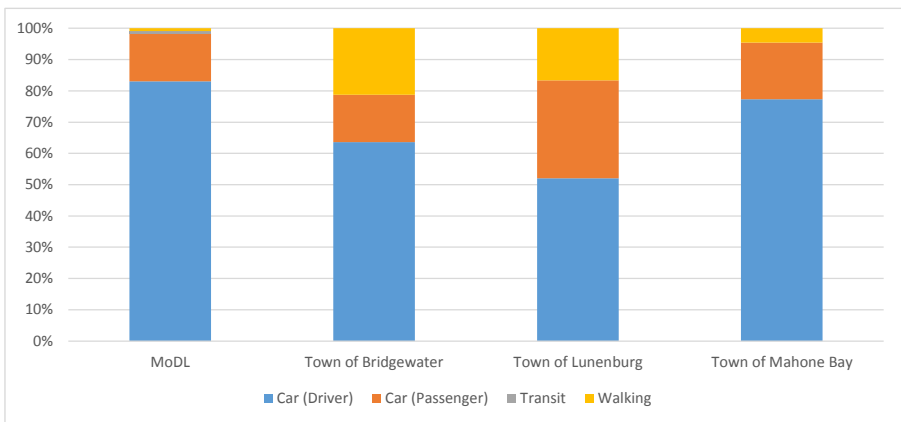
Count of Record #	Column Labels				
Row Labels	\$2	\$3-\$4	\$5-\$6	\$6+	Grand Total
MoDL	17	69	19	6	111
Town of Bridgewater	11	15	2	1	29
Town of Lunenburg	8	22	11		41
Town of Mahone Bay	4	9	4	1	18
Grand Total	40	115	36	8	199

Willingness to pay	\$2	\$3-\$4	\$5-\$6	\$6+	Total
MoDL	17	69	19	6	111
Town of Bridgewater	11	15	2	1	29
Town of Lunenburg	8	22	11	0	41
Town of Mahone Bay	4	9	4	1	18
	40	115	36	8	199



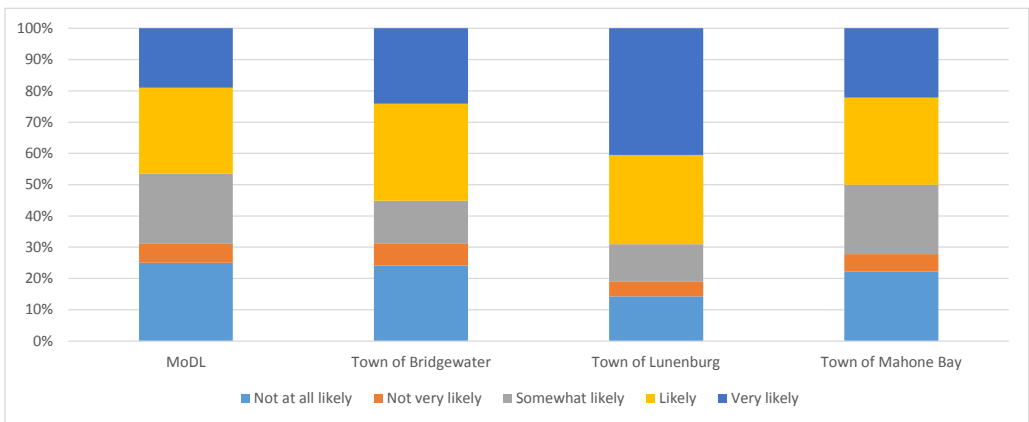
Count of Record # Row Labels	Column Labels				Grand Total
	Car (Driver)	Car (Passenger)	Transit	Walking	
MoDL	98	18	1	1	118
Town of Bridgewater	21	5		7	33
Town of Lunenburg	25	15		8	48
Town of Mahone Bay	17	4		1	22
Grand Total	161	42	1	17	221

Primary Mode of Travel	Car (Driver)	Car (Passenger)	Transit	Walking	Total
MoDL	98	18	1	1	118
Town of Bridgewater	21	5	0	7	33
Town of Lunenburg	25	15	0	8	48
Town of Mahone Bay	17	4	0	1	22
					221



Count of Record # Row Labels	Column Labels					Grand Total
	Likely	Not at all likely	Not very likely	Somewhat likely	Very likely	
MoDL	29	7	26	32	22	116
Town of Bridgewater	7	2	4	9	7	29
Town of Lunenburg	6	2	5	12	17	42
Town of Mahone Bay	4	1	4	5	4	18
Grand Total	46	12	39	58	50	205

Likelihood to use transit	Not at all likely	Not very likely	Somewhat likely	Likely	Very likely	Total
MoDL	29	7	26	32	22	116
Town of Bridgewater	7	2	4	9	7	29
Town of Lunenburg	6	2	5	12	17	42
Town of Mahone Bay	4	1	4	5	4	18
	46	12	39	58	50	205



Appendix B

Survey Form

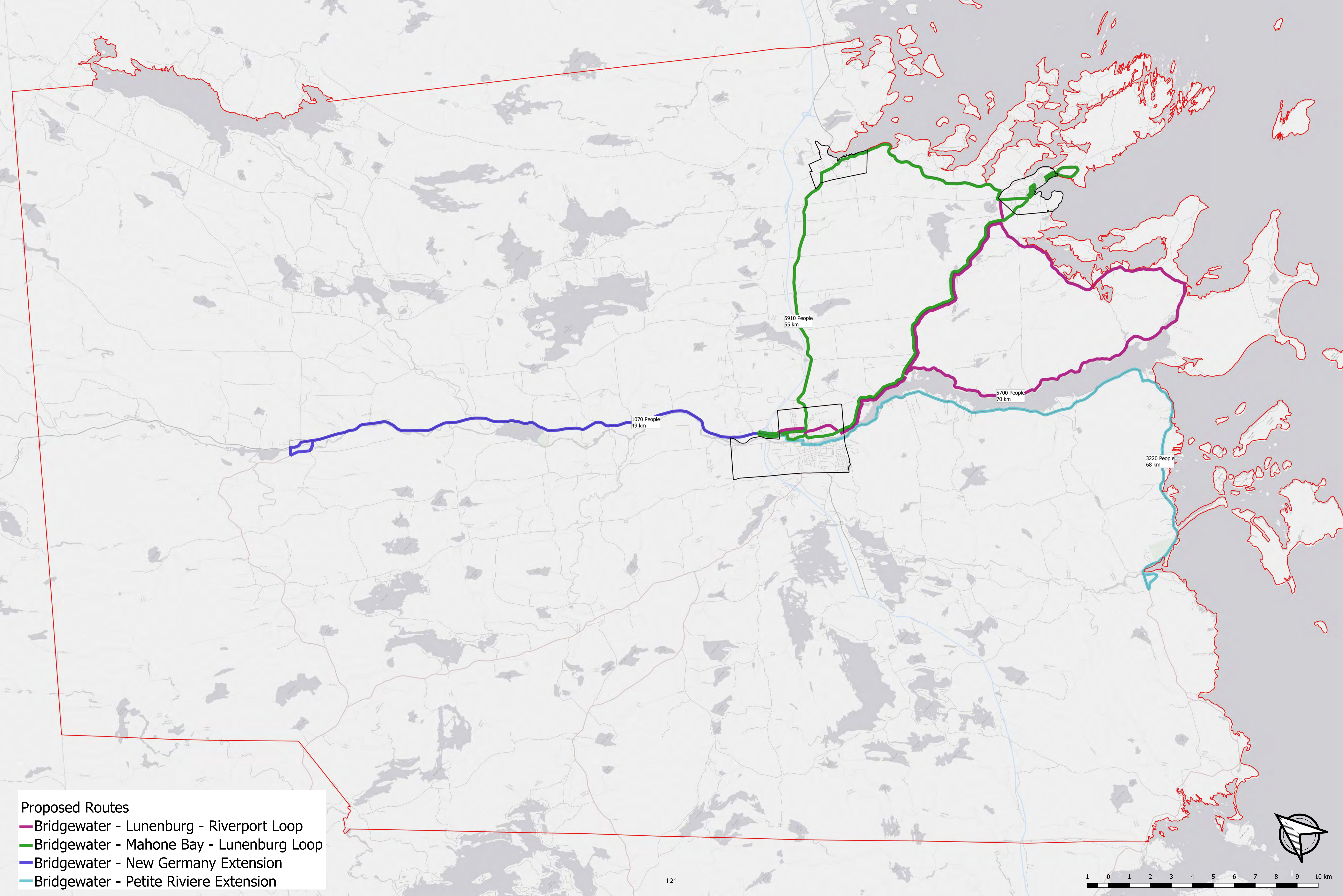


Bus System for Lunenburg County – Survey

1. In which community do you live?					
<input type="checkbox"/> Town of Bridgewater	<input type="checkbox"/> Town of Lunenburg	<input type="checkbox"/> Town of Mahone Bay	<input type="checkbox"/> Municipality of the District of Lunenburg (MODL)	(Please specify which MODL community you live in)	
2. What is your primary mode of travel?					
<input type="checkbox"/> Car (Drive alone)	<input type="checkbox"/> Car passenger	<input type="checkbox"/> Bike	<input type="checkbox"/> Walk	<input type="checkbox"/> Other (Please specify)	
3. During the last month, roughly how many times per week did you travel for the following purposes?					
Work/school	Shopping	Entertainment, social and recreational activity	Personal errands (post office, medical appointments, dropping someone off)	Non-utilitarian (walking for exercise, dog-walking)	Other (Please specify)
4. How likely are you to ride public transportation, if available, in your community?					
<input type="checkbox"/> Not at all likely	<input type="checkbox"/> Not very likely	<input type="checkbox"/> Likely	<input type="checkbox"/> Somewhat likely	<input type="checkbox"/> Very likely	
5. How much are you willing to pay per trip for public transit?					
<input type="checkbox"/> \$2	<input type="checkbox"/> \$3 - \$5	<input type="checkbox"/> \$5 - \$6	<input type="checkbox"/> more than \$6		
6. What type of transit would you like to see in Lunenburg County?					
7. How can we connect communities by transit? (ex. Bridgewater to Mahone Bay)					
8. What features would you like to see in the service? (ex. coverage, flex schedule, bus technologies, apps)					
9. Any additional comments?					
10. What is your postal code?					

Appendix C

Route Options



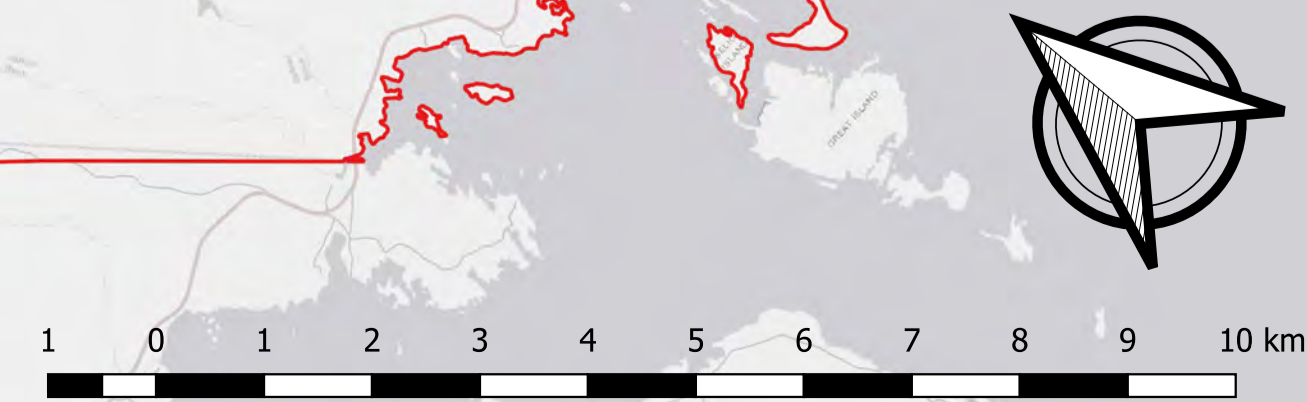
1070 People
49 km

5910 People
55 km

5700 People
70 km

3220 People
68 km

- Proposed Routes**
- Bridgewater - Lunenburg - Riverport Loop
 - Bridgewater - Mahone Bay - Lunenburg Loop
 - Bridgewater - New Germany Extension
 - Bridgewater - Petite Riviere Extension



Appendix D

Financial Assessment

Route	Length (km)	Average Speed (km/h)	Travel Time (hours)	Population 300m	Population % making trips	Average number of yearly trips per person	Likely Transit Split	Potential Yearly Transit Trips
Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	75.00	40	2	6460	66%	784	0.3%	10028
Bridgewater - Mahone Bay - Lunenburg Loop	55.00	40	1.5	5910	66%	784	0.3%	9174
Bridgewater - Lunenburg - Riverport Loop	70.00	40	1.75	5700	66%	784	0.3%	8848
Bridgewater - LaHave - Petite Rivière Extension	70.00	40	1.75	3220	66%	784	0.3%	4998
Bridgewater - New Germany Extension	50.00	40	1.25	1070	66%	784	0.3%	1661

Service Type	Yearly Trips	Service Hours per Weekday	Service Hours in 5 Weekdays	Service Hour Saturday	Service Hour Sunday	Service Hour per week	Service Hour per year	Break Hour per weekday	Break Hour per week	Break Hour per Saturday	Break Hour per week	Break Hour per year	Dead-Head per year	Total Operating Hours per Year
Peak		7	35	7		42	2184	0.5	2.5	0.5	3.5	182	156	2158
Fixed		12	60	12		72	3744	1	5	1	7	364	312	3692
Extended		4	20	4		24	1248		0		0	0	156	1404

Vehicle Type	Capital Cost	Fuel Economy (litres / 100km)	Yearly Maintenance costs	Inspection and Insurance cost per year	Permit costs per year	Passenger capacity	Fare per trip
Standard Bus New	\$ 500,000	42.77	\$ 7,500	\$ 25,000	\$ 515	40	\$ 3.50
Standard Bus Old	\$ 45,000	45	\$ 30,000	\$ 20,000	\$ 515	40	\$ 3.50
Small Bus New	\$ 100,000	30	\$ 5,000	\$ 15,000	\$ 450	20	\$ 3.50
Small Bus Old	\$ 18,000	33.6	\$ 20,000	\$ 15,000	\$ 450	20	\$ 3.50
Community Bus New	\$ 90,000	20	\$ 2,500	\$ 10,000	\$ 250	15	\$ 3.50
Community Bus Old	\$ 15,000	25	\$ 7,500	\$ 10,000	\$ 250	15	\$ 3.50
Van New	\$ 50,000	13.52	\$ 1,000	\$ 5,000	\$ 50	8	\$ 3.50
Van Old	\$ 5,000	20	\$ 2,000	\$ 5,000	\$ 50	8	\$ 10.00

Driver Type	Wage	Benefits	Sick Time	Vacation	Total Hourly Cost	Uniform Cost	First Aid Training	Hours/Day	Salary	Yearly Cost
Full Time	\$ 18	\$ 1	\$ 1	\$ 1	\$ 21	\$ 350	\$ 300	\$ 8.5	\$ 55,692	\$ 56,342
Part Time	\$ 18				\$ 18	\$ 250	\$ 300	\$ 5.5	\$ 30,888	\$ 31,438

	Year 1		Year 2		Year 3			Year 4				Year 5				
	Bridgewater - Mahone Bay - Lunenburg Loop		Bridgewater - Lunenburg - Riverport Loop		Bridgewater - Mahone Bay - Lunenburg Loop		Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop		Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - New Germany Extension	Bridgewater - Mahone Bay - Lunenburg Loop		Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - New Germany Extension
	Peak	Extended	Fixed	Fixed	Fixed	Fixed	Extended	Fixed	Extended	Extended	Extended	Extended	Fixed	Fixed	Extended	Extended
Vehicle	Van New	Van New	Van New	Van New	Community Bus New	Van New	Van New	Van New	Community Bus New	Community Bus New	Van New	Van New	Community Bus New	Community Bus New	Van New	Van New
Number of vehicles	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Number of stops	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Number of full-time drivers	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Number of part-time drivers	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Route Length (km)	55	75	55	75	55	75	75	75	55	75	70	50	55	75	70	50
Route Travel Time (hours)	1.50	2.00	1.50	1.75	1.50	2.00	1.50	1.25	1.50	2.00	1.75	1.25	1.50	2.00	1.75	1.25
Route Catchment Population (within 300m)	5910	6460	5910	5700	5910	6460	3220	3220	5910	6460	3220	1070	5910	6460	3220	1070
Estimated Yearly Transit Ridership per Person	1.50	0.25	2.00	2.00	2.50	2.50	1.50	3.00	3.00	3.00	1.75	1.50	4.00	4.00	2.00	1.75
Estimated Yearly Transit Ridership	8865	1615	11820	11400	14775	16150	4830	4830	17730	19380	5635	1605	23640	25840	6440	1873
Route Service Hours per Day	7.0	4.0	12	12	12	12	4.0	4.0	12	12	4.0	4.0	12	12	4.0	4.0
Route Operating Hours per Year (+ Dead-Head)	2158	1404	3692	3692	3692	3692	1404	1404	3692	3692	1404	1404	3692	3692	1404	1404
Number of Route Runs per Day	4	2	8	6	8	6	2	2	8	6	3	3	8	6	2	2
Number of Route Runs per Year	1248	624	2496	1872	2496	1872	624	624	2496	1872	624	624	2496	1872	624	624
Route Annual km Travelled	68640	46800	137280	131040	137280	140400	43680	43680	137280	140400	43680	46800	137280	140400	43680	46800
Vehicle Fare	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50	\$ 10.00	\$ 10.00	\$ 3.50	\$ 3.50	\$ 10.00	\$ 10.00
Vehicle Fuel Economy (L/100km)	14	14	14	14	20	14	14	14	20	20	14	14	20	20	14	14
OPERATING COSTS																
Bus Drivers																
Wages, Benefits, Sick, First Aid	\$ 87,780.00		\$ 87,780.00	\$ 87,780.00	\$ 87,780.00	\$ 87,780.00	\$ 31,438.00	\$ 31,438.00	\$ 87,780.00	\$ 87,780.00	\$ 31,438.00	\$ 31,438.00	\$ 87,780.00	\$ 87,780.00	\$ 31,438.00	\$ 31,438.00
Management																
Wages	\$ 50,000.00		\$ 50,000.00	-	\$ 50,000.00	-	-	-	\$ 50,000.00	-	-	-	\$ 50,000.00	-	-	-
Fees and Registrations	\$ 25,000.00		\$ 25,000.00	-	\$ 25,000.00	-	-	-	\$ 25,000.00	-	-	-	\$ 25,000.00	-	-	-
Communications	\$ 500.00		\$ 500.00	-	\$ 500.00	-	-	-	\$ 500.00	-	-	-	\$ 500.00	-	-	-
Professional Services	\$ 5,000.00		\$ 5,000.00	-	\$ 5,000.00	-	-	-	\$ 5,000.00	-	-	-	\$ 5,000.00	-	-	-
Advertising	\$ 15,000.00		\$ 15,000.00	-	\$ 15,000.00	-	-	-	\$ 15,000.00	-	-	-	\$ 15,000.00	-	-	-
Cleaning Supplies	\$ 240.00		\$ 240.00	-	\$ 240.00	-	-	-	\$ 240.00	-	-	-	\$ 240.00	-	-	-
Buses																
Parking	\$ 500.00		\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Fuel price (¢/L)	\$ 7,888.11	\$ 5,378.26	\$ 15,776.22	\$ 15,059.12	\$ 23,337.60	\$ 16,134.77	\$ 5,019.71	\$ 5,378.26	\$ 23,337.60	\$ 23,868.00	\$ 5,019.71	\$ 5,378.26	\$ 23,337.60	\$ 23,868.00	\$ 5,019.71	\$ 5,378.26
Yearly Maintenance	\$ 1,000.00		\$ 1,000.00	\$ 1,000.00	\$ 2,500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,000.00	\$ 1,000.00
Inspection and Insurance cost per year	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00
Permits	\$ 50.00		\$ 50.00	\$ 50.00	\$ 250.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 250.00	\$ 250.00	\$ 50.00	\$ 50.00	\$ 250.00	\$ 250.00	\$ 50.00	\$ 50.00
Bus Cleaning	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
Bus Signage	\$ 1,500.00		\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Advertising	\$ 50.00		\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
TOTAL OPERATING COSTS	\$ 209,886.36		\$ 212,396.22	\$ 115,939.12	\$ 226,657.60	\$ 117,014.77	\$ 49,557.71	\$ 49,916.26	\$ 226,657.60	\$ 131,448.00	\$ 49,557.71	\$ 49,916.26	\$ 226,657.60	\$ 131,448.00	\$ 49,557.71	\$ 49,916.26
	\$ 210,000.00		\$ 330,000.00		\$ 395,000.00		\$ 395,000.00		\$ 460,000.00		\$ 460,000.00		\$ 460,000.00		\$ 460,000.00	
CAPITAL COSTS																
Vehicle																
Capital Cost	\$ 50,000.00		\$ 50,000.00		\$ 90,000.00		\$ 1,250.00		\$ 90,000.00		\$ 1,250.00		\$ 90,000.00		\$ 1,250.00	
Bus stop signage	\$ 1,250.00	\$ 1,250.00														
Radios	\$ 1,500.00		\$ 1,500.00		\$ 1,500.00				\$ 1,500.00				\$ 1,500.00			
Tools	\$ 200.00		\$ 200.00		\$ 200.00				\$ 200.00				\$ 200.00			
Fare Boxes	\$ 500.00		\$ 500.00		\$ 500.00				\$ 500.00				\$ 500.00			
TOTAL CAPITAL COSTS	\$ 54,700.00		\$ 52,200.00		\$ 92,200.00		\$ 1,250.00		\$ 92,200.00		\$ 1,250.00		\$ 92,200.00		\$ 1,250.00	
	\$ 55,000.00		\$ 55,000.00		\$ 95,000.00		\$ 95,000.00		\$ 95,000.00		\$ 95,000.00		\$ 95,000.00		\$ 95,000.00	
TOTAL COSTS (OPERATING + CAPITAL)	\$ 264,586.36		\$ 265,000.00		\$ 318,857.60		\$ 117,014.77	\$ 50,807.71	\$ 226,657.60	\$ 223,648.00	\$ 49,557.71	\$ 51,166.26	\$ 226,657.60	\$ 131,448.00	\$ 49,557.71	\$ 49,916.26
	\$ 265,000.00		\$ 385,000.00		\$ 490,000.00		\$ 490,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00	\$ 555,000.00
REVENUE																
Bus advertising (per bus, per month)	\$ 1,800.00	\$ -	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00
Fare (Estimated Ridership)	\$ 31,027.50	\$ 5,652.50	\$ 41,370.00	\$ 39,900.00	\$ 51,712.50	\$ 56,525.00	\$ 16,905.00	\$ 16,905.00	\$ 62,055.00	\$ 67,830.00	\$ 56,350.00	\$ 16,050.00	\$ 82,740.00	\$ 90,440.00	\$ 64,400.00	\$ 18,730.00
TOTAL REVENUE	\$ 38,480.00	\$ 5,652.50	\$ 43,170.00	\$ 41,700.00	\$ 53,512.50	\$ 58,325.00	\$ 18,705.00	\$ 18,705.00	\$ 63,855.00	\$ 69,630.00	\$ 58,150.00	\$ 17,850.00	\$ 84,540.00	\$ 92,240.00	\$ 66,200.00	\$ 20,530.00
	\$ 40,000.00		\$ 85,000.00		\$ 135,000.00		\$ 135,000.00		\$ 210,000.00		\$ 210,000.00		\$ 265,000.00		\$ 265,000.00	
NET COST (TOTAL REVENUE - TOTAL COSTS)	\$ -226,106.36		\$ -341,830.00		\$ -366,485.10		\$ -371,299.77	\$ -336,294.26	\$ -336,802.60	\$ -354,018.00	\$ -8,407.71	\$ -337,146.26	\$ -342,117.60	\$ -363,208.00	\$ -318,757.71	\$ -324,386.26
	\$ -230,000.00		\$ -330,000.00		\$ -360,000.00		\$ -360,000.00		\$ -345,000.00		\$ -345,000.00		\$ -319,000.00		\$ -319,000.00	



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Ontario: Ottawa



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 ibigroup.com

Council
 Item: #8.2
 Date: February 25, 2020
 Authorization: T. MacEwan

Field Review Report No. A-006

Project Name:	New Municipal Building	Date Issued:	14 Feb 2020
Project Location:	10 Allee Champlain Drive Cookville, NS	Date of Visit:	11 Feb 2020
Reviewed By:	Lisette Wright	Time:	12:00pm-1:00pm
Site Representative:	Philip Henderson (Roscoe)	Weather:	1C, storm pending
		Bldg. Permit No.:	BP190119
Others Present:	N/A	Project No:	118663

Firm Name: **IBI Group**
 Certificate of Practice No.: **3271243**
 Address: **Suite 1105 - 1645 Granville Street, Halifax, NS, B3J 1X3**
 Report by: **Lisette Wright**

Signature:
 Title: **Contract Administrator**

NOTES

1. This report does not apply to the design prepared by others who have been engaged directly by the Builder(s) or Owner(s). The report of the respective Professional Engineers and shop drawings from the trades should be forwarded to the Architect for general review.
2. IBI Architects Atlantic has reviewed only the representative samples of the construction work and has not conducted exhaustive on-site reviews and this report should not be construed as a guarantee of the work. The Builder(s) or Constructor(s) are responsible for coordinating inspection and testing, WCB requirements and other safety regulations, etc.

REPORT

The following items were noted:

SITE CONDITIONS

1.1.1 Very icy

PROGRESS OF THE WORK

1.2.1 Overall:

- Phase 3 roof trusses well underway
- Window installation near complete for phase II
- Metal roofing commenced at south side/Phase I
- Interior: Ice covered concrete slabs throughout all areas of building (phase I exposed to weather area and phase 3 & 2 covered areas).
- Generator on site, not located

1.2.2 Site:

- Some bollards complete (transformer), bench piers complete (pic 76 Jan 28th) and backfilled (pic 1).

1.2.3 Building:

- Exterior wall framing and zip system near complete at council areas (entrance and meeting room framing remaining).
- Zip sheathing approx. 90% installed.
- Window installation 90% complete phase II.

- Roofing: Phase 1 metal roofing installed on South side (approx. 80%) and part of east end over Staff room. Phase 2 underlay & S.A.W.P. near complete (pic 12). Phase 3 trusses 60% complete, roof sheathing commenced (pics 3, 9).
- Ceiling strapping near complete.
- Interior steel stud framing near complete, shear wall sheathing complete (phase 1 & 2).
- Door frames near complete (phase 1 & 2).
- Interior load bearing walls near complete and wood stud framing well underway (phase 3) (pic 66).
- Work Stations room: plywood sheathing near complete (pics 36, 39).

- Mezz: no progress from last report. Mezz walls approx. 75% complete. Housekeeping pads to be poured once equipment is on site.

- Electrical rough-ins near complete in phase I & II. (Staff kitchen pic 27).

- 1.2.3 Overall Views: From NE corner (pic 23)
From NW corner (pic 3)
From SE corner (pic 17)
South elevation at side entrance (pic 14)

OBSERVATIONS AND COMMENTS (new items only)

- 1.3.1 Work done in general conformance to drawings.

PREVIOUS COMMENTS

- 1.4.1 ONSA to be notified for reviews prior to services being covered in.

ATTACHMENTS

- 1.5.1 Photos 1 to 76

END OF REPORT

DISTRIBUTION:

Roscoe: Lucas Schurman, Phil Henderson
IBI: Lisette Wright, Neil Munro
Catalyst: Andrew Amos



Pic 01 - Main entrance and exterior Bench piers



Pic 76 dated Jan 28th - Benches: Concrete piers



Pic 03 - Phase 3 roof sheathing commenced



Pic 09 - Phase 3 roof trusses



**Pic 12 - Phase 2 Roofing:
extent of underlay and
blueskin**



**Pic 27 - Staff Room - electrical
rough in**



**Pic 36 - WorkStations Rm
looking up at mezz area**



**Pic 39 - WorkStations Rm:
sheathing ongoing**



**Pic 66 - Lobby area looking
into Boardroom and Council**



Pic 03 - NE corner



Pic 14 - South elevation at side entrance



Pic 17 - South East corner



Pic 23 - North East



MECHANICAL OBSERVATION REPORT NO. 02

PROJECT: Municipality of The District of Lunenburg Municipal Building	TO: IBI Group Suite 1105-1645 Granville Street Halifax, NS B3J 1X3
Our File No.: 18-307	To: Lisette Wright cc: Andrew Amos
BY: G. Scott Moore, P.Eng. Mechanical Engineer	Date of Site Review: January 28, 2020

STATUS:

- Site Meeting + Site Visit to review progress of on-going Mechanical work
- All underground PVC DWV piping and below slab in-floor hot water heating piping has been installed
- Floor slabs have been poured
- Exterior walls, window installation and roof construction is on-going

General Comments:

- Mechanical Contractor is requested to keep one set of marked up As-Built Drawings on-site for periodic review by the Consultant Team.
- Mechanical Contractor is requested to keep all mechanical materials - including piping and ductwork covered or capped as work progresses.
- Mechanical Contractor is requested to review and submit the remainder of the Mechanical equipment Shop Drawings as soon as possible.

<u>ITEMS:</u>		
No.	Area:	Remarks:
1.01	General	Please provide all piping pressure test reports for underground drainage piping and the in-floor hot water heating piping.
1.02	In-floor heating	There are two (2) exposed pipes without caps (open-ended), therefore, there is no on-going pressure test on for this piping (See Photo #2). Also, there is one pressure test gauge that is currently reading zero psig (see Photo #3). Please review and advise.
1.03	Main Entrance	The Vestibule floor drain is not covered/protected during construction (See Photo #4).



F.C. O'Neill, Scriven
& Assoc's Limited
Consulting Engineers

p: 902-429-0701 f: 902-429-9729
7071 Bayers Road, Suite 2001, Halifax, Nova Scotia B3L 2C2
www.onsa.ca



Photo #1 - In-floor Hot Water Heating Piping c/w Pressure Test Gauge and Pipe Sleeves



Photo #2 - In-floor Hot Water Heating Piping (not capped yet; no pressure test)



Photo #3 - In-floor Hot Water Heating Piping (pressure gauge reading zero)



F.C. O'Neill, Scriven
& Assoc's Limited
Consulting Engineers

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Photo #4 – Floor Drain in Main Entrance (not protected/covered)



ELECTRICAL OBSERVATION REPORT # 5

To:	Catalyst Consulting Engineers Inc	Project:	District of Lunenburg - New Municipal Building, Lunenburg, N.S.
Attention:	Mr. Andrew Amos PEng	Our Project No.:	18-307
Tel. No.	1 902-802-0306	Date:	February 19 th 2020
CC:		From:	Kendall Isnor SC CCEI
		Email:	kendalli@onsa.ca

Please find listed below the following deficiencies noted during our site review on February 13th, 2020. This deficiency list does not relieve the Electrical Contractor from completing any outstanding work.

With the exception of the deficiencies noted below, what work has been done to date has been found to be in general conformance with the intent of the specifications and drawings and in numerous instances above industry standards.

This report was produced during a requested in wall rough-in review between grid lines 24-31.

Progress:

- Framing is ongoing
- Electrical rough in between grid line 24-31 is approx. 95% complete



Notes:

- As-built drawings are to be maintained on site reference specification 26 05 01 1.19.
- Nova Scotia Power permit and inspections to be submitted, reference specification 26 05 01 1.13.
- Contractor to coordinate installation with other trades, reference specification 26 05 01 1.15.
- This report is intended to cover electrical items only
- This report was reviewed with Fairline’s site representatives at time of observation
- Field quality testing to be completed as detailed throughout specification but specific attention to 26 05 01
- O and M manuals to be completed as detailed throughout specification with specific attention to 26 05 01
- Fire and sound penetrations to be sealed as required by the Canadian Electrical Code (CEC) 2-128 and further detailed in specification 26 05 01 1.17
- Site reviews by this office are to be requested at a minimum 48hrs in advance (prior to back filling exterior underground, installing gyproc on walls, closing in ceilings (in general advice ONSA at the same time Nova Scotia power is requested to do inspections)
- A signed off copy of this report at individual items denoting item is fully corrected by way of initial and date from the electrical and general contractor to be submitted.



- Pictures have been added throughout document to offer clarification and do not necessary show all location of occurrence.

Notes for contractor on work in progress:

N1.01 Contractor to coordinate with utilities as detailed in specification 26 05 01 1.16

N1.02 As-built drawings are to be maintained on site with depth and routing of underground conduit and cable routing, reference specification 26 05 01 1.19

N1.03 Caution tape to be installed approx. halfway between conduits and finish grade as required by the CEC 12-012 and shown in detail on electrical site plans

N2.01 (1.01) Large rocks and other debris to be removed from trenches prior to back filling as required by the Canadian Electrical Code 12-012

New picture December 4th, 2019



N4.01 Excavation to Transformer and pole to be of the depth, indicating on electrical drawing E-102, caution/burial tape to be installed and fully cover vertical spread of underground conduits and exact routing and depth to be documented on as built drawings.



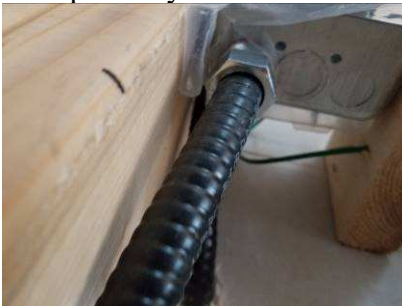


Deficiencies:

5.01 NMD cabling to be protected when installed over rafters/trusses etc. as required by the Canadian Electrical Code (CEC) 12-514



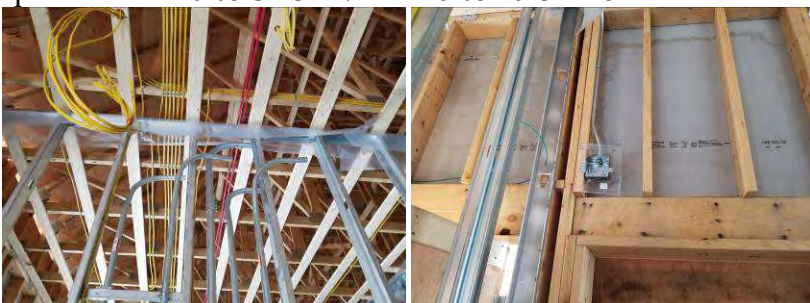
5.02 Connectors for liquid tight race way to be tool tightened to become electrically and mechanically continuous as required by the CEC 12-916/918

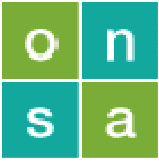


5.03 Boxes to have extensions rings installed were required by the CEC 12-3016 and further detailed in specification 26 05 33.16



5.04 EMT to be supported with in 900 mm of boxes and 300 mm of 90 degree bends as detailed in specification 26 05 34 3.1.7 and 26 05 29 3.1.15.





5.05 Outlet boxes to have color coded interior as detailed in specification 26 05 32 3.2



Carried Deficiencies:

1.02 Underground in slab was back filled prior to review from this office, copies of NSP inspection reports to be submitted.

Submitted By:

(Kendall Isnor SC CCEI.)

Date: February 19th, 2020

PDF Copies To:



Municipality of the District of Lunenburg

February 18, 2020

To Her Worship, Mayor Bolivar-Getson, and Councillors
of the Municipality of the District of Lunenburg

Dear Mayor and Councillors:

The Policy & Strategy Committee in session on Tuesday, February 18, 2020, made the following recommendation to Council:

1. That Municipal Council establish the 2020 Election Office at 373 King Street, Bridgewater, commencing May 1, 2020.
2. That Municipal Council give notice of its intention to repeal the By-law Respecting the Maintenance and Improvement of Private Streets approved by Council on April 12, 2005 and amended on February 14, 2006, October 9, 2007 and February 17, 2009 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.
3. That Municipal Council amend Section 5.0 of Policy MDL-58 Fees by adding the following wording “, with the exception of the Private Road Maintenance and Improvement Charge” to the end of the sentence.
4. That Municipal Council repeal MDL-52 Municipal Safety Program Policy and Safe Work Practices approved by Council on October 13, 2009 and amended on October 23, 2012 and replace it with the proposed new Occupational Health and Safety Policy, as presented.

Respectfully submitted,

Chairman and Members
Policy & Strategy Committee

/jp
Attachments



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:



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

PROPOSED

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:

Short Title

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

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.

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.

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.

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;
 - (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;
 - (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;
 - (d) a plan defining the Charge Area boundary, the property boundaries in the Charge Area;
 - (e) a completed copy of the petition form in Schedule A; and
 - (f) any other information that the Council may require to determine the method of calculation or the amount of charges necessary.

Association By-laws

- 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.

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.

Charge Area Establishment Request

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

- (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;
 - (b) the number of landowners in the Charge Area did not meet the minimum incorporation requirement of the *Societies Act*;
 - (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;
 - (d) the general consensus of the landowners in the Charge Area is not an active opposition to the levy of uniform charge;
 - (e) the financial burden of road maintenance is distributed unevenly amongst the landowners within the Charge Area; and
 - (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.

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
- (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.

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.

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.

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.

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

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.

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.

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.

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.

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.

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.

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.

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.

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

Private Streets By-law Repealed

- 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.

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 outlined 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



Municipality of the District of Lunenburg

MEMORANDUM

TO: Mayor and Municipal Council Members

FROM: Sherry Conrad, Municipal Clerk

DATE: February 18, 2020

RE: **Proposed Amendments to MDL-58 Fee Policy**

The Policy & Strategy Committee, in session on February 18, 2020, reviewed a proposed amendment to MDL-58 Fee Policy. The proposed amendment allows for clarity in that the 5% administrative fee collected for the Private Road Maintenance & Improvement Charge is not exempted.

The Committee made a motion to recommend the proposed amendment to Policy MDL-58 to Council for approval, as presented, and gave notice to Council of its intention to approve the proposed amendments at the February 25, 2020 Council meeting.

Section 48(1) of the *Municipal Government Act* states, "Before a policy is passed, **amended** or repealed, the Council shall give at least seven days notice to all council members." Therefore, in accordance with Section 48(1), the attached amended Policy MDL-58 "Fee" will be presented for Council's approval at the February 25, 2020 Council session. The Policy & Strategy Committee meeting of February 18, 2020 was hereby considered as Council's notice.

If Council approves of the attached Policy amendments, the following motion would be necessary.

"That Municipal Council approve the proposed amendment to Section 5.0 of MDL-58 Fee Policy, as presented".

Sherry Conrad
Municipal Clerk

/sac
Attachments

**Municipality of the District of Lunenburg
POLICY**

Title: Fee	
Policy No. MDL-58	
Effective Date: 11 January 2011; February amendments effective 01 April 2019	Amended Date: May 10, 2011; February 12, 2019

1.0 Title.

The Municipality of the District of Lunenburg shall establish an administrative policy concerning fees charged for municipal services.

2.0 Administration.

Where appropriate, this Policy will be referenced in related Bylaws, concerned with the service identified. Any amendments and/or changes to the Policy will be at the determination of Municipal Council, on the recommendation of staff, or on the recommendation of related Committees of Council.

3.0 Purpose.

The Municipality will provide clarity to citizens as to the various fees it charges, on the various government services it provides to them.

4.0 Listed Fees.

Fees shall be as follows:

4.1 Planning and Development Applications & Fees [amended Feb. 12/19]

	Fee
Bylaw Amendment, Planning Strategy Amendment	\$525+Advertising
Development Agreement	\$525+Advertising
Development Permit	\$26
Final Plan of Subdivision	\$105
+ each lot after two lots	\$26
Fire Inspection Fees	\$210
Map Book	\$25
Map Reproduction Fee	\$11
Map Reproduction Fee /Sq Ft	\$0.55
Planning Documents	\$11
Private Road Maintenance & Improvement Charge	5%
Property Record Certificate	\$58
Variance	\$79
Zoning Certificate	\$53

4.2 Recreation User Fees (Rentals) [amended Feb. 12/19]

	Fee
Ballfields	\$21 per hour + HST
Ballfield League	\$19 per hour + HST
MARC Rental Fee	\$11 per hour + HST
MARC Residence Fee	\$5 per person + HST per night

4.3 Administration User Fees [amended Feb. 12/19]

	Fee
Dog Tag - Replacement	\$1.00
Fax (per page)	\$0.60
NSF Cheques	\$15.00
Photocopies - B & W (per page)	\$0.15
Photocopies - Colour (per page)	\$0.30
Tax Certificate	\$42.00
Tax Sale Admin Fee	\$160.00
Verbal Tax Information	\$11.00

4.4 Engineering User Fees [amended Feb. 12/19]

	Fee
Sewer Permit Fee	\$120.00

5.0 Exempted Organizations

Active non-profit organizations registered under the Societies Act will be exempt from paying those fees identified under section 4.1 of this Policy, **with the exception of the Private Road Maintenance & Improvement Charge. [amended May 10, 2011]**

Clerk's Annotation for Official Policy Book

Date of Adoption: January 11, 2011

Date of Notice to Council Members
of Intent to Consider Amendments: April 11, 2011
Effective Date of Amendments: May 10, 2011

Date of Notice to Council Members
of Intent to Consider Amendments: February 5, 2019
Date of Approval of Amendments: February 12, 2019
Effective Date of Amendments: April 1, 2019

I certify that this "Fee Policy" (MDL-58) was adopted and amended by Council as indicated above.

Sherry Conrad, Municipal Clerk

Date



Municipality of the District of Lunenburg

MEMORANDUM

TO: Mayor and Municipal Council Members
FROM: Sherry Conrad, Municipal Clerk
DATE: February 18, 2020
RE: **Repeal and Replace MDL-52 Municipal Safety Program Policy and Safe Work Practices**

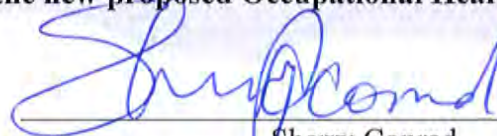
The Policy & Strategy Committee, in session on February 18, 2020, reviewed a proposed new Policy MDL-52 Occupational Health & Safety Policy to replace the existing Municipal Safety Program Policy and Safe Work Practices. The proposed new policy adds clarity to the roles and responsibilities of Council, the CAO, the Joint Occupational Health & Safety (JOHS) Committee and individual employees. It provides for the appropriate level of accountability and control to the Strategic Management Team and provides an important internal review function to the JOHS Committee.

The Committee made a motion recommending to Council that Council repeal MDL-52 Municipal Safety Program Policy and Safe Work Practices approved by Council on October 13, 2009 and amended on October 23, 2012 and replace it with the proposed new Occupational Health and Safety Policy, as presented, at the February 25, 2020 Council meeting.

Section 48(1) of the *Municipal Government Act* states, "Before a policy is passed, amended or repealed, the Council shall give at least seven days notice to all council members." Therefore, in accordance with Section 48(1), the attached new Policy MDL-52 Occupational Health & Safety will be presented for Council's approval at the February 25, 2020 Council session. The Policy & Strategy Committee meeting of February 18, 2020 was hereby considered as Council's notice.

If Council approves of the repeal and replacement of Policy MDL-52, the following motion would be necessary:

"That Municipal Council repeal MDL-52 Municipal Safety Program Policy and Safe Work Practices approved by Council on October 13, 2009 and amended on October 23, 2012 and replace it with the new proposed Occupational Health and Safety Policy, as presented."



Sherry Conrad
Municipal Clerk

/sac
Attachments



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)



Council

Item: #10.2.1

Date: February 25, 2020

Authorization: T. MacEwan

Municipality of the District of Lunenburg

210 Aberdeen Road Bridgewater Nova Scotia Canada B4V 4G8
Phone: 902-543-8181 / Fax: 902-543-7123 / Web Site: www.modl.ca

February 20, 2020

To Mayor Bolivar-Getson and
Municipal Councillors

Dear Council:

The Nominating Committee, in session on February 19, 2020, made the following recommendation to Council:

“that Municipal Council appoint Jason Pittman and Bill Towndrow and reappoint Bud Risser, Tina Risser, David Silver and Angus Morris for three-year terms to serve as members-at-large appointments on the Sawpit Wharf Advisory Community Committee”

Respectfully submitted,

Chairman and Members
Nominating Committee



Municipality of the District of Lunenburg

MEMORANDUM

REPORT TO: Municipal Council

SUBMITTED BY: Byung Jun Kang, Planner

DATE: February 25, 2020

SUBJECT: PL200006 – Development Agreement Amendment
500 Highway 325, Blockhouse (Boulangerie La Vendéenne)

ORIGIN

An application to amend an existing Development Agreement, in place for Boulangerie La Vendéenne in Blockhouse, is received from Mr. David Unterweger on February 18.

LEGISLATIVE AUTHORITY

Municipal Government Act, Subsection 230(1): “A council shall adopt or amend a development agreement by policy.”

RECOMMENDATION

That Municipal Council forward the Development Agreement amendment application, submitted by Mr. David Unterweger, to the Blockhouse Area Advisory Committee for review and recommendation to the Planning Advisory Committee.

BACKGROUND

Currently, the existing Development Agreement states that:

1. The use of the property shall be restricted to a Bakery, and a Related Retail operation directly associated with the Bakery;
2. The structure may be up to a maximum total indoor floor area of 570 square metres (6,135 square feet) for all identified Uses, including identified accessory structures; and
3. Up to a maximum total indoor floor area of 55 square metres (592 square feet) for the related Retail operations is included in the total indoor floor area maximum identified above.

Mr. Unterweger, the owner of the bakery, is requesting for

1. the addition of the following uses to be permitted in the Development Agreement:
 - a. 44529 – Other specialty food stores
 - i. retailing speciality foods including dairy, baked goods, beverages, cheese, coffee, dietary foods, honey, ice cream, spices, herbs, candy, nut and confectionery, and not for immediate consumption.
 - b. 722512 – Limited-service eating places
 - i. providing food services to patrons who order or select items at a counter (or order by telephone) and pay before eating. Food and drink are picked up for consumption on the premises or for take-out, or delivered to the customer's location.
2. the expansion of building limit from 570 square metres to 750 square metres; and
3. the deletion of maximum total indoor floor area for the related Retail operations.

DISCUSSION

While a commercial use is permitted on the proposed site, a development agreement is required if such use occupies more than 375 square metres per lot.

It has been Council's procedure to refer development agreement applications to the local Area Advisory Committee for review.

WORK PLAN IMPLICATIONS

Upon motion, staff will arrange a meeting of Blockhouse Area Advisory Committee on the second week of March 2020, then proceed to the Planning Advisory Committee on March 26, then to the Council for the notice of intention on April 14 and for the public hearing on May 12, 2020. The amended Development Agreement may be signed as early as June 2020.

COMMUNICATION CONSIDERATIONS

Policy MDL-66, the Public Participation Program, will be followed to send notices to adjacent landowners within 305 metres, posting of signs, newspaper ad and e-mails.

Department: Planning & Development Services
Directory: 66510-40

Prepared by: Byung Jun Kang, Planner

Date: 2020.02.18

Approved by: Jeff Merrill, Director of Planning & Development

Date: 2020.02.19



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: Council

SUBMITTED BY: Jeff Merrill, MCIP, LPP, Director of Planning & Development Services

DATE: February 25, 2020

RE: Pre-Budget Approval for New Planner Position

RECOMMENDATION

That Council approve the proposed pre-budget of up to \$78,780, plus benefits, to hire a Planner or Senior Planner.

BACKGROUND

On December 3, 2019 Bill 58 was proclaimed making planning mandatory in all areas of the municipality, setting minimum planning requirements, and requiring engagement with abutting municipalities on planning matters.

On January 24, 2020 the Minister of Municipal Affairs and Housing informed municipalities that Bill 58 was proclaimed. The Minister clarified that the timeline for complying with the new requirements is the end of 2022.

DISCUSSION

The new minimum planning regulations:

- Requires all land in the municipality to be subject to a municipal planning strategy (MPS);
- Requires the MPS to be reasonably consistent with every statement of provincial interest; and
- The MPS must fulfill the minimum planning requirements.

Requires all land in the municipality to be subject to a municipal planning strategy (MPS)

The Municipality currently has seven Secondary Planning Strategies and Land Use By-laws, covering approximately 12% of MODL. An eighth Secondary Planning Strategy and Land Use By-law is currently under development in Hemford Forest. The province now requires the municipality to adopt a municipal planning strategy for the entire municipality.

Requires the MPS to be reasonably consistent with every statement of provincial interest

The five statements of provincial interest are outlined in Schedule B of the MGA and are included with the statements overall goal in the table below:

Statements of Provincial Interest Regarding	Goal
Drinking Water	To protect the quality of drinking water within municipal water supply watersheds
Flood Risk Areas	To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.
Agricultural Land	To protect agricultural land for the development of a viable and sustainable agriculture and food industry.
Infrastructure	To make efficient use of municipal water supply and municipal wastewater disposal systems.
Housing	To provide housing opportunities to meet the needs of all Nova Scotians.

To adequately address the statements of provincial interest will require a significant amount of time as Council must complete a public participation program prior to adapting the documents.

The MPS must fulfill the minimum planning requirements.

The Municipal Planning Strategy must include:

- the objectives of the municipality in respect of its physical, economic and social environment;
- future use, management and development of lands within the municipality;
- implementation and administration of the municipal planning strategy;
- Policies on the periodic review within 10 years of the later of its adoption;
- Secondary Planning Strategies must also be reviewed within the timelines.
- public consultation and notice procedures when reviewing the MPS;
- its implementing land-use by-law;
- engagement with abutting municipalities;
- a discussion of the background and contextual information that informed the goals and objectives of the MPS;
- statements of policy with respect to the lands subject to a municipal planning strategy in relation to:
 - residential uses,
 - commercial and industrial uses,
 - institutional uses,
 - recreational facilities and public open spaces, and
 - resource uses, where resources are present within a municipality;

Timeline

Completing a review of a Secondary Planning Strategy and Land Use By-law can take 2-3 years to complete. The province has given municipalities until the end of 2022 to meet the requirements. In order to meet the provincial planning requirements and timeline for planning in all areas of the municipality, the Planning Department needs additional resources.

Staff is recommending that Council hire a full-time permanent Planner. A Senior Planner would be ideal as they'd be able to lead a major planning project with minimal supervision and oversight from the Director of Planning. The Planning Department has an extra workstation at the Champlain Drive location for an additional resource. With the timing of the hiring, this resource would work from the recreation program coordinators workspace (as that position will transfer to the MARC location for the summer programming).

In addition to a Planner position in 2021 we'd seek funding to hire co-op students (1-2) to assist the project. We're not seeking the support of students this fiscal year as there are no additional workstations at the current building.

All current planning staff along with our Communication Officer will be heavily involved in the project (however a full-time Planner is required to lead the project.)

Once the MPS and LUB is in place there will be an increase in resources needed to implement and administer the plan. The addition of a Planner position would enable the resource to help implement and administer the plan once adopted. There will be an increase in the number of development permits to review and issue and a potential for an increase in the number of development agreements applications and possible amendment applications.

BUDGET IMPLICATIONS

Senior Planner Salary Scale = \$63,024 to \$78,780, plus benefits

or (depending on applications received)

Planner Salary Scale = \$53,943 to 67,430, plus benefits

ALTERNATIVES

Option 1: Hire a full-time permanent Planner.

- Ideally, we'd be able to attract a Senior Planner. However, if we're not able to attract a Senior Planner we can hire a Planner position. However the position would require a higher level of supervision.

Option 2: Hire a full-time temporary Planner position.

- No long-term staff resource commitment
- Attracting a Senior Planner for a term position is unlikely. It would be more likely we could attract a non-senior Planner for a term (ending March 31, 2023)
- Term may not attract as qualified/experienced Planners
- Risk losing the individual to a full-time permanent position elsewhere causing project delays
- Doesn't address resources needed to implement and administer the plan

Option 3: Hire a Consultant

- No long-term staff resource commitment
- Gas tax funding can be used for a Consultant but not a staff position

- Harder to control workload of Consultant. It's very likely we'd not be their only client
- Expensive to change course (i.e. add additional consultation events as needed)
- Doesn't address resources needed to implement and administer the plan

CONCLUSION

The addition of a Planner position would give the municipality a full-time resource to lead the development of a municipal planning strategy and land use by-law to meet the provincial mandatory minimum planning requirements. Once the plan is adopted there would be the staff resources to implement and administer a municipal wide planning strategy and land use by-law.

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

TO: Chief Administrative Officer
FROM: Deputy Mayor Eric Hustvedt
DATE: February 18, 2020

1. Agenda Item
The limits of Council's role re: the current aquaculture issue.


2. On what agenda do you want the item placed?
Council, February 25, 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.

4. What is its relevance to Council or the committee?
Council's support is being courted for potential licensing of open net pen fishing off our shores by the Province and by an applicant and at the same time our opposition to such licensing is being sought by many residents.

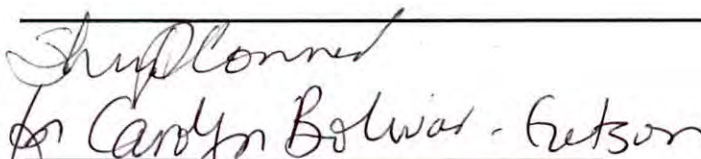
5. What outcome(s) are you seeking?
Consideration of resolution that recognizes the widespread environmental concerns of our residents to open net pen fishing and the companion opposition to any new such sites along our shore. And that such resolution be forwarded to the Nova Scotia government.


Councillor's Signature

Tuesday, February 18, 2020
Date

Approval for agenda: Yes No

Reason for Denial:


Mayor or Chair of Committee

Feb. 20/20
Date