

Please Note:

A Public Hearing re the Adoption of the AAC Policy Amendment By-law will be held at 8:30a.m. on Tuesday, July 28, 2020.

**AGENDA
SPECIAL MEETING OF MUNICIPAL COUNCIL
Via TELE & VIDEO CONFERENCE**

Tuesday, July 28, 2020 – 9:00 a.m.

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. APPROVAL OF MINUTES of
Special Council - March 10, 24 & 31, 2020; April 14 & 28, 2020; May 12, 2020
Public Hearing – April 14, 2020; Special Council re Budget - May 12, 2020**
- 4. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITIONS**
- 5. STAFF REPORTS**
 - 5.1 Planning & Development Department**
 - 5.1.1 Second Reading re Proposed AAC Policy Amendment By-law 1-7
- 6. RECOMMENDATIONS FROM COMMITTEES**
 - 6.1 REMO Committee**
 - 6.1.1 Approval of Guide to Emergency Management for Elected Officials..... 8-39
 - 6.2 CAO Evaluation Committee**
 - 6.2.1 CAO Evaluation 40
- 7. STAFF REPORTS**
 - 7.1 Planning & Development Department**
 - 7.1.1 Adoption of the Interpretation By-law – First Reading 41-62
 - 7.2 Administration Department**
 - 7.2.1 Proposed Amendments to Article 18 of Personnel MDL-51 Policy 63-64
 - 7.2.2 Comfort Centre Generator Grants..... 65-66
 - 7.2.3 Emergency Assistance Fund for Community Facilities 67-69
 - 7.2.4 DOTIR 3-Year Cost Share Agreement re Subdivision Streets 70-78
- 8. IN CAMERA**
 - 8.1 Contract Negotiations re Internet Tower under Section 22(2(e) of the MGA
- 9. ADJOURNMENT**



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Municipal Council
SUBMITTED BY: Byung Jun Kang, Planner
DATE: July 28, 2020
RE: Second Reading of the AAC Policy Amendment By-law

RECOMMENDATION

That Municipal Council conducts Second Reading of a By-law Amending the Secondary Planning Strategies in the Plan Areas of Princes Inlet, Hebbville, Riverport, and Blockhouse Regarding Area Planning Advisory Committees, as presented at the Public Hearing, and hereby adopts the amendments.

DISCUSSION

This is a housekeeping by-law to amend 4 Secondary Planning Strategies to remove references to the Area Advisory Committees (AAC). Oakland is not part of this policy amendment, since removing references to its AAC has already been addressed during its Plan Review in 2019.

Notice of public hearing was posted in the newspaper and on our website on July 8, 2020. No public responses were received at this point by mail, e-mail, or telephone. Staff also held an online information session on July 23 with the existing AAC members.

As directed by Council, a summary report of the new planning model was produced.

ATTACHMENT

Appendix A: AAC Policy Amendment By-law
Appendix B: Summary Report ("Cheat Sheet") of the New Planning Model

Department:	Planning	
Report Prepared By:	Byung Jun Kang, Planner	Date: 2020-07-21
Report Approved By:	Jeff Merrill, Director	Date: 2020-07-21
Reviewed By CAO:	Tom MacEwan, Chief Administrative Officer	Date: 2020-07-24



Municipality of the District of Lunenburg

Summary Report of the New Planning Model

Updated 2020-07-17

NEW PLANNING MODEL

A planning model governs the process of changing planning applications and documents. Examples include land use by-law amendments, development agreement applications, and overall plan reviews. Council gave direction to staff to move from the Area Advisory Committee (AAC) model to the Planning Advisory Committee (PAC) model. The purpose is to move the discussion around planning matters from the AACs to the PAC. This allows for more effective planning over the entire Municipality. Figure 1 compares the process of planning applications and review.



Figure 1. The new planning model moves discussions around planning matters from the individual AAC to the PAC. This allows for more effective planning over the entire Municipality. However, the rest of the planning process remains the same. Online engagement is also added.

POLICY CHANGES

To implement the change in planning model, some Council by-laws and policies have to change. The following table lists the changes that are made to the Council by-laws and policies.

Title and Number	Status	Changes	Notes
Policy 002 (Committees)	Amendment (partial repeal)	Repealed Section 4	Section 4 now forms an independent policy.
Policy 004 (Non-Council Appointments and Honorarium)	Amendment (strike out)	Stroke out a section exempting AAC from following this policy	AAC had a separate policy for appointments of members under Policy 056, which is now repealed. Exemption is no longer necessary.
Policy 021 (Procedure for the Establishment of Plan Areas)	Repeal	Declared a moratorium on creating new Plan Areas and AAC	New Plan Areas and their AACs are no longer able to be established while staff is drafting a municipal-wide planning document.
Policy 056 (Membership Selection of AAC)	Repeal (effective October 1, 2020)	Declared a moratorium on appointing AAC members	Appointments of AAC members will not occur after their terms all expire in November 2020.
Policy 066 (Public Engagement)	Adoption (repeal & replace)	Rearranged existing policy and added new provisions about public engagement	Policy 066 is rewritten to clarify the existing procedure for public engagement, and added new provisions on online engagement.
Policy 090 (PAC)	Adoption	Came from Section 4 of Policy 002	This policy acts as the terms of reference for the PAC, which is mandatory under the MGA. Most of the provisions are from Policy 002.
AAC Policy Amendment By-law	Adoption (Amendments)	Amended 4 planning strategies by striking out a reference to AACs.	This is a housekeeping amendment to remove all references to the AAC. The AAC's role is now on the PAC.

UPCOMING POLICY CHANGE

A policy change is planned after August 2020 to further implement the new planning model.

Title and Number	Status	Changes	Notes
Policy 090, First Amendments (Dissolving of AAC Policy)	Amendment	Dissolving all existing AAC (with extension of appointment for Hemford Forest)	All existing AAC would formally be dissolved with this policy.

Contact: Byung Jun Kang, Planner, byungjun.kang@modl.ca

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

**A BY-LAW AMENDING THE SECONDARY PLANNING STRATEGIES
IN THE PLAN AREAS OF PRINCES INLET, HEBBVILLE, RIVERPORT, AND BLOCKHOUSE
REGARDING AREA PLANNING ADVISORY COMMITTEES**

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority vested in it by Section 205 of the **Municipal Government Act**, that the Princes Inlet Secondary Planning Strategy, Hebbville Secondary Planning Strategy, Riverport Secondary Planning Strategy, and Blockhouse Secondary Planning Strategy be amended as follows:

Short title

- 1** This by-law may be cited as the **AAC Policy Amendment By-law**.

Introduction of the Princes Inlet AAC repealed

- 2** Part 1 of the Princes Inlet Secondary Planning Strategy is amended by striking out the last paragraph, immediately after the phrase “enables the Strategy to be amended by a Council at any time during this period.”

Advisory role of the Princes Inlet AAC repealed

- 3** Section 1.5 of the Princes Inlet Secondary Planning Strategy is repealed.

Application review of the Princes Inlet AAC repealed

- 4** Subsection 7.2.8 of the Princes Inlet Secondary Planning Strategy is amended by striking out immediately after the sentence “The purpose of the Public Participation Program shall be to hear the opinions of the public”.

Introduction of the Hebbville AAC repealed

- 5** Part 1 of the Hebbville Secondary Planning Strategy is amended by striking out the last paragraph, immediately after the phrase “enables the Strategy to be amended by a Council at any time during this period.”

Advisory role of the Hebbville AAC repealed

- 6** Section 1.5 of the Hebbville Secondary Planning Strategy is repealed.

Application review of Hebbville AAC repealed

- 7** Subsection 7.2.8 of the Hebbville Secondary Planning Strategy is amended by striking out immediately after the sentence “The purpose of the Public Participation Program shall be to hear the opinions of the public”.

Advisory role of the Riverport AAC repealed

8 Subsection 7.1.2 of the Riverport Secondary Planning Strategy is repealed.

Application review of Riverport AAC repealed

9 Subsection 7.1.8 of the Riverport Secondary Planning Strategy is amended by striking out immediately after the sentence “The purpose of the Public Participation Program shall be to hear the opinions of the public”.

Advisory role of the Blockhouse AAC repealed

10 Subsection 8.1.1 of the Blockhouse Secondary Planning Strategy is repealed.

Application review of Blockhouse AAC repealed

11 Subsection 8.1.6 of the Blockhouse Secondary Planning Strategy is amended by striking out immediately after the sentence “The purpose of the Public Participation Program shall be to hear the opinions of the public”.

**A BY-LAW AMENDING THE SECONDARY PLANNING STRATEGIES
IN THE PLAN AREAS OF PRINCES INLET, HEBBVILLE, RIVERPORT, AND BLOCKHOUSE
REGARDING AREA PLANNING ADVISORY COMMITTEES**

I, Sherry Conrad, Municipal Clerk of the Municipality of the District of Lunenburg, do hereby certify that the foregoing is a true copy of **A BY-LAW AMENDING THE SECONDARY PLANNING STRATEGIES IN THE PLAN AREAS OF PRINCES INLET, HEBBVILLE, RIVERPORT, AND BLOCKHOUSE REGARDING AREA PLANNING ADVISORY COMMITTEES**, which is adopted by the Council of the Municipality of the District of Lunenburg at a duly called meeting on July 28, 2020.

DATED at Bridgewater, NS, the 31st day of July 2020.

Sherry Conrad, Municipal Clerk

Clerk's Annotation for Official By-law Book	
Date of First Reading	June 23, 2020
Date of Advertisement – Notice of Intention	July 8, 2020
Date of Second Reading	July 28, 2020
Date of mailing to Minister a Certified copy of By-law	July 31, 2020
Date of Advertisement of Adoption of By-law*	September 2, 2020
I certify that this “BY-LAW AMENDING THE SECONDARY PLANNING STRATEGIES IN THE PLAN AREAS OF PRINCES INLET, HEBBVILLE, RIVERPORT, AND BLOCKHOUSE REGARDING AREA PLANNING ADVISORY COMMITTEES” was adopted by Council and published as indicated above.	
_____	_____
Municipal Clerk	Date
*Effective Date of the By-law unless otherwise specified in the text of this By-law.	



Municipality of the District of Lunenburg

July 21, 2020

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

Dear Mayor and Councillors:

The REMO Advisory Committee in session on Monday, July 20, 2020, made the following
recommendation to Council:

1. That Municipal Council approve the "Guide to Emergency Management for Elected
Officials" dated December 2019.

Respectfully submitted,

Chairman and Members
REMO Advisory Committee

/jp
Attachments



Lunenburg County REMO

Guide to Emergency Management for Elected Officials

December 2019

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Executive Summary

Lunenburg County is vulnerable to many hazards, ranging from severe storms and flooding, to forest fires and power outages. Elected officials are responsible for ensuring public safety and welfare of their communities.

Emergency Management operations before, during, and after an emergency, are an essential function of Elected Officials and local government agencies. Elected officials must have a clear understanding of how government responds to emergencies and disasters, what resources are available, what types of assistance can be provided to residents, and how much time it may take to deliver that assistance. They must be able to instill a sense of calm in disaster survivors and the public, and temper expectations of what government can do to aid in the recovery.

A coordinated message to the public between elected officials and emergency management is necessary so people do not receive conflicting information.

This guide is meant to be a general overview of the Lunenburg County Emergency Management Organization process for Elected Officials and is not intended as a complete reference document.

Please consult with your Emergency Management Coordinator for further information or questions.



Quick Reference Checklist

BEFORE THE DISASTER:

- Reinforce Preparedness Messages
- Become Familiar with Legislation
- Know your area
- Support Businesses in Knowing their Risks
- Become Familiar with Lunenburg County REMO Plans

RESPONDING TO THE DISASTER

- Refer Calls to the Appropriate Agencies
- Be Consistent with media using Key Messages as provided by Information Officer
- Stay Safe and Lead by Example in the Impacted Area(s)

AFTER THE DISASTER

- Support Recovery Efforts

What you need to know

When there is a disaster the public will turn to Elected Officials as the leaders in Lunenburg County for answers and assistance.

While residents will often turn to their Elected Officials for guidance and assurance during difficult times, Elected Officials have **no direct operational role** in Emergency Management.



The following information is intended to guide Elected Officials through individual emergency preparedness steps. By gaining an understanding of Lunenburg County's emergency management system and knowing how to best communicate with residents after disaster hits, Elected Officials can affect the outcome of an emergency in a positive manner.

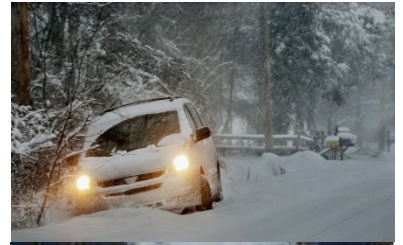


Nova Scotians are encouraged to be ready to cope on their own for at least the first 72 hours of an emergency.

Elected Officials

- ✓ Attend initial briefing for Situational Awareness.
- ✓ The roles and responsibilities of Elected Officials do not include attendance at the Emergency Coordination Centre (ECC) unless specifically requested by the ECC Manager. Visits to the ECC by Municipal Mayors/Wardens will be coordinated by the ECC Manager.
- ✓ Support the ECC Manager in the management of the emergency response by providing strategic direction as requested by the ECC Manager.
- ✓ Report credible information that comes from your constituents to the CAO or as an alternative, the representative of the Regional Emergency Management Advisory Committee (REMAC).
- ✓ Be available to meet and discuss a Declaration of a State of Local Emergency as recommended by the ECC Manager in accordance with the [Nova Scotia Emergency Management Act](#).
- ✓ Provide advice on the long-term impact of an incident on people, critical infrastructure, the environment, finances, operations, business, industry and reputation.
- ✓ Prepare your family and home so that you can be available if requested, when the time comes.

- ✓ Help spread the Public Safety Information developed by the ECC Information Officer and approved by the ECC Manager (CAO). A coordinated message to the public is necessary so people do not receive conflicting information.
 - REMO is a unified group of municipal units working together to the benefit of all of Lunenburg County, therefore a coordinated approach to messaging is important.
- ✓ Let the professionals trained in emergency management do their jobs. Understand why it is important that any site visits to the impacted area are to be coordinated through the Incident Commander and the Information Officer.
- ✓ Unless specifically asked to do so, please do not speak to the media.
- ✓ Do not speculate on what is happening regarding the emergency incident.
- ✓ Do not share privileged information that could jeopardize the operation.



In consultation with the Emergency Coordination Centre (ECC), through the ECC Manager:

- ✓ Keep the community informed of the situation via Public Information messages developed by the Information Officer and approved by the ECC Manager (CAO).
- ✓ Engage with other levels of government for financial and resource support as required.
- ✓ Provide briefings to other levels of government, if requested.
- ✓ Authorize major expenditures as required.



Lunenburg County Regional Emergency Management Organization (REMO)

On January 18, 2017, the Lunenburg County Regional Emergency Management Organization (REMO) was established. An Inter-Municipal Agreement was signed and is comprised of the Municipality of the District of Chester, the Municipality of the District of Lunenburg, Town of Bridgewater, Town of Lunenburg and Town of Mahone Bay, for any emergencies in Lunenburg County. REMO was established to provide a coordinated response to an emergency and the day to day duties of being prepared for a major emergency or incident was delegated to this organization.

The Regional Emergency Management Plan (REMP) for Lunenburg County is based on an all-hazards approach to ensure that the County is prepared for any type of disaster or incident — whether natural or human caused.

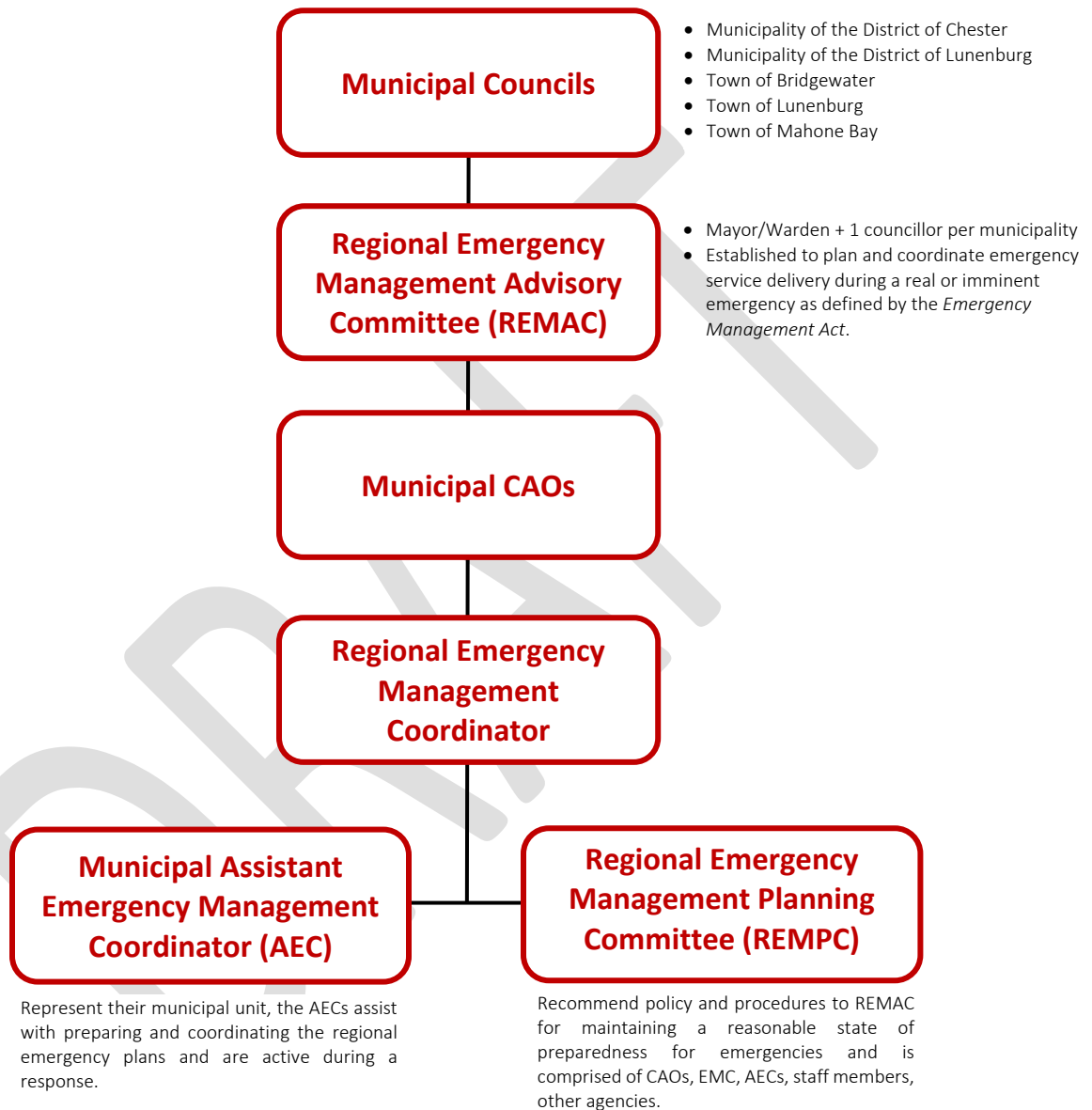
Hazard Analysis Summary 2015

Points calculated based on Probability and Severity

High Risk	Moderate Risk	Low Risk
Flood Inland Winter Storm Hurricane Coastal Flooding/Storm Surge Epidemic – Human Industrial Hazardous Chemical Release/Spill	Forest Fire Hot Days/Heat Wave Transportation Accident Water Contamination Animal Disease Outbreak Thunderstorm	Telecommunications Failure Drought

(Lunenburg REMO Hazard Analysis 2015)

Lunenburg County Regional Emergency Management Organization (REMO)



Getting Involved Before a Disaster

Reinforce Preparedness Message with the Public and Prepare Yourself



Elected Officials should reinforce messages on the importance of making family communication plans and maintaining emergency supplies such as food, water, batteries, medications, and first aid supplies for individuals, families, and pets.

The **72-hour preparedness** message should always be communicated when discussing emergency preparedness with the residents of Lunenburg

County. If an emergency occurs in Lunenburg County, it may take emergency workers some time to reach all residents affected. All residents of Lunenburg County should be prepared to take care of themselves and their families for a minimum of 72 hours.

Lunenburg County has personal emergency preparedness information available through the Emergency Management Coordinator emo@modl.ca or info@emergencymeasures.ca.

Elected Officials need to have an emergency plan in place for themselves, their families and pets before being able to assist residents.

Maintain a current list of contacts and phone numbers you might need in order to respond to a disaster.

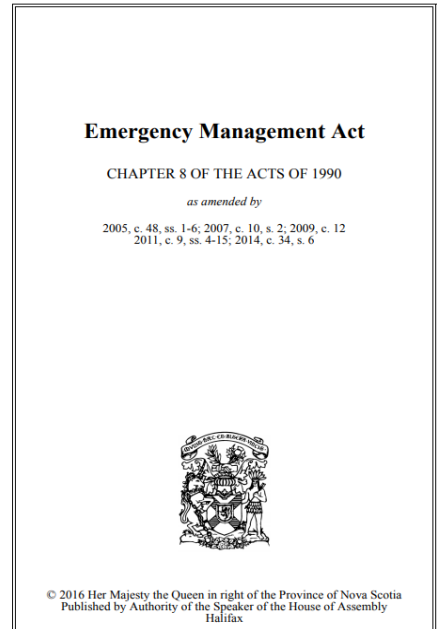


Become Familiar with Legislation

Generally knowing how local, provincial, and federal response resources are requested and mobilized gives officials credibility when talking with the public and responding to questions from the media.

Provincial and federal resources can be requested through the Nova Scotia Emergency Management Office (NS EMO).

The Lunenburg County REMO Emergency Management Bylaw provides for the direction and control of the County's emergency operations under the provincial [NS Emergency Management Act](#).



State of Local Emergency

Through the [NS Emergency Management Act](#), the Municipal Mayors/Wardens and Council have the power to declare, renew or terminate a State of Local Emergency (SOLE), and the power to put emergency plans into operation. The process is outlined in the Emergency Management Bylaw.

The Municipal CAO as ECC Manager, or designate, will make the recommendation to declare a State of Local Emergency. Municipal Mayors/Wardens will call a Special Council meeting and whoever is present within an hour represents a quorum and can make the declaration ([Form 4](#)). If a quorum is not present, the Mayor of each Municipality has the power to declare a State of Local Emergency ([Form 5](#)). The Declaration will identify specific powers, identify to whom they are delegated and where the powers are in force. The extraordinary powers, outlined in Section 14 of the [NS Emergency Management Act](#), include:

- Seize real or personal property
- Require qualified person to render aid

- Control or prohibit travel
- Restore essential services
- Cause evacuation
- Authorize entry without a warrant
- Cause demolition
- Procure or fix prices

The County can declare a State of Local Emergency for seven (7) days. After each seven (7) day period, the declaration must be terminated or renewed. The Province does not have to approve the declaration but can veto it. [Declaring a State of Local Emergency flowchart](#) is outlined at the back of this guide.

Support Businesses in Knowing their Risks

Businesses within Lunenburg County should have emergency plans to safeguard employees and property and to mitigate the impact of possible disruptions. Elected Officials should encourage businesses to take emergency preparedness steps consistent with existing standards and practices. Small businesses play critical roles in the economy of the County.

Recovery planning for municipal government and industry will increase the chances of economic recovery after a disaster.

Statistics show that approximately 40 per cent of businesses and industries involved in a catastrophic disaster do not reopen; 30 per cent of those that do reopen close within three (3) years. *(This is an industry average based on surveys after major disasters such as Hurricanes and Wildfires).*

Familiarization with County Plans

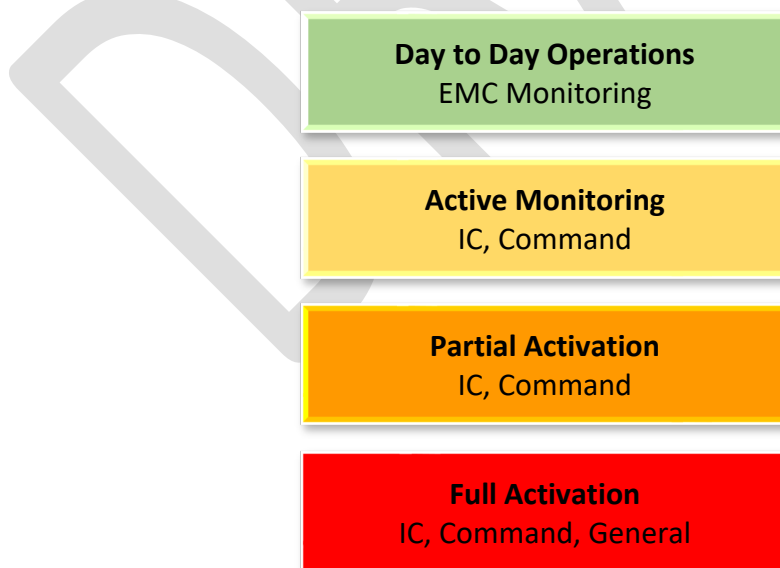
Lunenburg County REMO has developed a Regional Emergency Management Plan, dated 2009, was last updated June 2014.

When there is an incident, the Emergency Coordination Centre (ECC) can be activated when the incident size requires support. Criteria for ECC activation include (but are not limited to):

- Significant number of people at risk, e.g., requiring immediate or potential evacuation of the surrounding area;
- Potential for prolonged disruption of essential services;
- Immediate or potential threat to life, health, property or the environment beyond the ability of first responders to handle; and
- Potential for the situation to escalate.

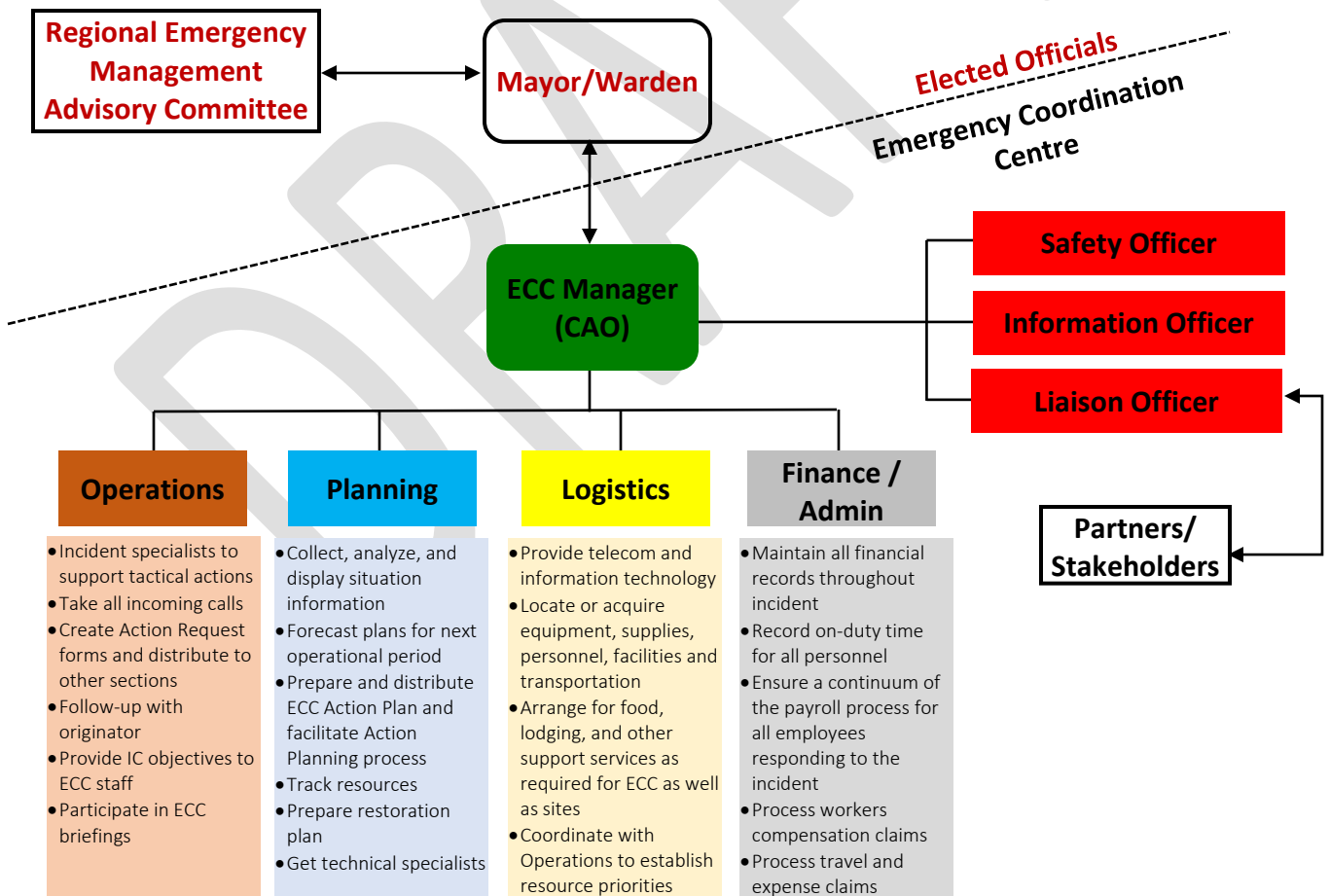
Activation Levels and Staffing Complement

Depending on the type of size of incident, the ECC may open virtually or physically with any or all positions filled. The Incident Commander will be monitoring the incident and determine to increase or decrease the staffing and resource level.



The Emergency Coordination Centre (ECC) is staffed with CAOs, EMC, AECs, and municipal staff from across Lunenburg County under the Incident Command System and the role of the ECC is to:

- Coordinate activities and resources in support of the Incident Commander in the field.
- Coordinate and reconfigure municipal services for the remainder of the municipality or agency.
- Coordinate and disseminate information to the public, during and immediately following an incident.
- Provide policy direction.
- Establish priorities and strategies.
- Collect, analyze and display information related to the incident.
- Plan for recovery, short and long-term.



Responding to the Disaster



Communication with the public is critical in the days and hours leading up to an incident, as well as during and immediately after an event. Some hazards like flooding and severe winter weather offer some warning to officials and the public. Others, like chemical spills, may occur without notice.



Regardless of the type of hazard, Elected Officials can play a productive role by relaying accurate communication and key messages.



Emergency incident site visits for Elected Officials will be coordinated through the Emergency Coordination Centre (ECC).

Talking to the Media

Remain consistent with messages released by the Information Officer when speaking with the media. If calls from the media are expected, request and retain talking points and pre-released bulletins from Corporate Communications and/or the Emergency Coordination Centre (ECC), when activated.

What you say to the media can have a great impact on the public's perception of response and recovery efforts.

Refer Calls from the Public

Emergency communications for Lunenburg County emergencies or disasters are typically released from Corporate Communications and/or the Emergency Coordination Centre (ECC), when activated.

It is the responsibility of the Information Officer to release warnings, life safety messages and directions to the media and the public at large. Questions from the public should be directed to the Public Information Officer within the ECC. Questions should not be directed through the 911 service as they will likely be very busy with issues related to the first response to the incident.

Elected officials can play two additional roles when responding to calls or questions from the public:

1. pass along accurate information to the public, and
2. compile issues and concerns.

In sharing information with residents, it is important that Elected Officials stay within the parameters of previously created information and directives from Corporate Communications

to help establish realistic expectations about the municipal response and services.



Communication with the Public in an Emergency

During an emergency, the ECC will utilize a variety of communication methods to communicate with the municipal units, the province and first responders. These methods could include telephone, email, TMR (Trunk Mobile Radio), satellite phone, Amateur Radio, or showing up in person to the Coordination Centre should all forms of communication fail.

Elected Officials can help by doing such things as encouraging residents to help their neighbours, e.g., shovelling the sidewalk during severe winter weather, or checking on neighbours to share duties or pooling resources.

Stay Safe and Lead by Example

Elected Officials could face the issue of evacuating their own neighbourhood during a disaster. Only by staying safe can officials help others. Elected Officials should follow directives to evacuate or shelter-in-place.

If Elected Officials wish to re-enter or visit an impacted area, they should send a request through the Emergency Coordination Centre due to safety concerns for themselves and emergency responders in the area.

Increase Awareness of Response Capabilities

Due to population increases, more reliance on technological infrastructures and interdependencies of utilities, (e.g. power grid), the number of incidents which can occur is increasing. Elected Officials can positively affect the outcome of an emergency in the policy area through active participation on the quarterly Regional Emergency Management Advisory Committee (REMAC) meetings.

As an Elected Official, you will probably receive calls from your constituents. Work with the Information Officer in the Emergency Coordination Centre (ECC) to coordinate public information.

Comfort Centres and Emergency Shelters

A **Comfort Centre** is a facility that is used for residents who are Sheltering-In-Place and remaining in their homes during an emergency but do not have full services such as electricity, heat, and water. The determination to open a Comfort Centre lies with the facility and REMO asks that the opening and closing times are shared for advertising and advising residents.

Comfort Centres are intended to provide any of the following services:

- a place to go to get warm/cool
- light refreshments
- charge electronic devices
- provide updates
- community gathering point
- washroom facilities.

An **Emergency Shelter** is a facility opened at the request of the REMO in a large-scale emergency. The Shelter is operated by the Canadian Red Cross, under the direction of Department of Community Services. An Emergency Shelter includes providing personal services, accommodation and can include psycho-social services. The request to open an emergency shelter is solely made by REMO and the Incident Commanders and a request is initiated through NS EMO to assist.

After the Disaster

Support Recovery Efforts

Recovery involves all of the cleanup, repair and financial assistance needed to return an area back to pre-disaster conditions. As soon as it is safe to do so, the County will conduct preliminary damage assessments to determine the level of damage to private property and community infrastructure.

Financial assistance may be available from the Province or Federal Government through Disaster Recovery Programs.

During the recovery phase, regular briefings are held in the ECC regarding the extent of damage and status of the recovery process. These briefings will be shared to keep you informed and better able to answer questions from your constituents and the media. Implementation of mitigation measures to prevent, avoid or lessen the reoccurrence of identified hazards ensures a safer community, and often one that is more liveable and attractive to its residents.

As an Elected Official, briefings will be shared on the extent of damage and status of the recovery process from the Emergency Coordination Centre Manager (CAO). These briefings will help you answer questions from your constituents and the media.

Key Phone Numbers and Contacts

911 This is for emergencies only. If someone's health, safety or property is threatened and help is needed right away, call 911.

Emergencies include:

- Fire
- Crime in progress
- Emergency Medical Situation
- Serious Accident
- Poisoning

811 For health information and advice when you have a health concern or question

511 For information about Provincial roads in Nova Scotia

211 For Community and Social Services

Other Important Numbers:

Power Outages

NS Power 1-877-428-6004

Mahone Bay Electric After Hours: 902-543-3251

During Office Hours: 902-624-8327

Town of Lunenburg Electric After Hours: 902-527-0150

During Office Hours: 902-634-4410, ext. 3

Riverport Electric 902-543-2502

Bell Aliant Outage 611 or 1-800-663-2600

Eastlink Outage 1-888-345-1111

Drinking Water Safety 1-877-936-8476

Food Safety 1-877-252-FOOD (3663)

Forest Fires 1-800-565-2224

Poaching 1-800-565-2224

Wildlife – Emergency Situations 1-800-565-2224

Environmental Emergencies

(Such as Oil Spills and Gas Leaks) 1-800-565-1633

NS Emergency Management Office 1-866-424-5620

Forms

Mayors/Wardens/Elected Officials on Advisory Committee (or Designates) Checklist

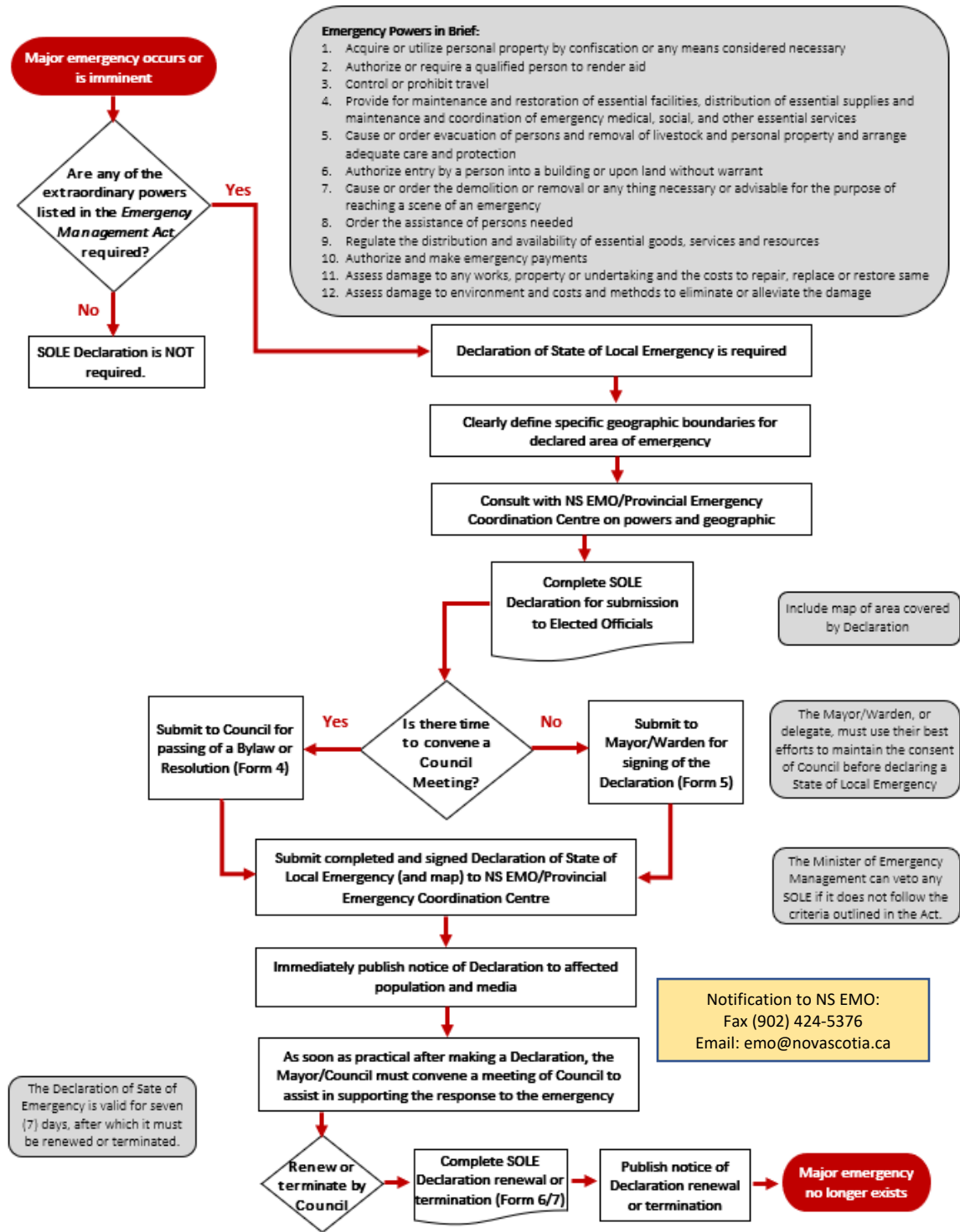
Mayors/Wardens and Elected Officials on the REMO Advisory Committee may be requested to respond to the Emergency Coordination Centre if established. Emergency duties specific to Elected Officials may include:

- ✓ If requested, respond to the ECC or set-up telecommunications to receive and transmit as directed by CAO or Elected Officials Liaison
- ✓ Upon recommendation of the ECC Manager, declare a State of Local Emergency (SOLE) (Form 4 or 5)
- ✓ If required, renew the SOLE declaration(s) every seven days (Form 6)
- ✓ Exercise all powers necessary as conferred by the [Nova Scotia Emergency Management Act](#).
- ✓ Authorize the expenditure of municipal funds in consultation with the CAO
- ✓ Participate in situational awareness updates/meetings as appropriate
- ✓ Advise and update Council of the current emergency situation. The decision to hold separate council updates or one joint council will be made in consultation with all Mayor(s)/Warden and the ECC Elected Officials Liaison
- ✓ In consultation with the ECC Liaison Officer / Public Information Officer, brief the Media at a designated Media Information Centre using Key Messages as presented by the ECC
- ✓ In consultation with the ECC Liaison Officer/ Public Information Officer, inform the public of significant developments
- ✓ Upon recommendation of ECC, terminate the State of Local Emergency (Form 7)
- ✓ Maintain a timed log of all requests and actions taken

State of Local Emergency Flowchart

Declaring a State of Local Emergency (SOLE)

Nova Scotia Emergency Management Act (Sections 12, 14, 18, and 20)



Form 4 Declaration of State of Local Emergency for Municipal Councils

FORM 4

DECLARATION OF A STATE OF LOCAL EMERGENCY
(Council of Municipality)

Section 12(2) of the *Emergency Management Act*, S.N.S. 1990, c.8

WHEREAS the area herein described is or may soon be encountering an emergency that requires prompt action to protect property or the health, safety or welfare of persons therein;

Emergency Area:

The area generally described as

Province of Nova Scotia (hereafter referred to as the "Designated Area(s)")

Yes () No ()

Nature of the Emergency:

AND WHEREAS the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, exists or may exist in the Designated Area(s) noted above;

THE UNDERSIGNED HEREBY DECLARES pursuant to Section 12(2) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above as of and from _____ o'clock in the forenoon () or afternoon () of the _____ day of _____, 20__.

THIS DECLARATION OF STATE OF LOCAL EMERGENCY shall exist until _____ o'clock in the forenoon () or afternoon () of the _____ day of _____, 20__, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*.

DATED at _____, in the Municipality of _____, Province of Nova Scotia, this _____ day of _____, 20__.

Council, Municipality

Name

Position

[Authorized by Resolution No. _____
dated the _____ day of _____,
20__]

Form 5 Declaration of State of Local Emergency for Mayor or Warden

FORM 5

DECLARATION OF A STATE OF LOCAL EMERGENCY (Mayor/Warden)

Section 12(3) of the *Emergency Management Act*, S.N.S. 1990, c.8

WHEREAS the area herein described is or may soon be encountering an emergency that requires prompt action to protect property or the health, safety or welfare of persons therein;

Emergency Area:

The area generally described as

Province of Nova Scotia (hereafter referred to as the "Designated Area(s)")

Yes

No

Nature of the Emergency:

AND WHEREAS the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, exists or may exist in the Designated Area(s) noted above;

AND WHEREAS the Council of the Municipality is unable to act;

AND WHEREAS the undersigned has (check appropriate box)

(a)	Consulted with a majority of the members of the Municipal Emergency Management Committee	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(b)	Found it impractical to consult with the majority of the Municipal Emergency Management Committee	Yes <input type="checkbox"/>	No <input type="checkbox"/>

THE UNDERSIGNED HEREBY DECLARES pursuant to Section 12(3) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above as of and from _____ o'clock in the forenoon or afternoon of the _____ day of _____, 20__.

THIS DECLARATION OF STATE OF LOCAL EMERGENCY shall exist until _____ o'clock in the forenoon or afternoon of the _____ day of _____, 20__, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*.

DATED at _____, in the Municipality of _____, Province of Nova Scotia, this _____ day of _____, 20__.

Mayor/Warden's signature

Municipality of _____

Form 6 Renew a State of Local Emergency

FORM 6

RENEWAL OF A STATE OF LOCAL EMERGENCY (Council of Municipality/Mayor/Warden)

Section 20(2) of the *Emergency Management Act, S.N.S., 1990, c.8*

WHEREAS the area herein described is or may soon be encountering an emergency that requires prompt action to protect property or the health, safety or welfare of persons therein;

Emergency Area:

The area generally described as

Province of Nova Scotia (hereafter referred to as
the "Designated Area(s)")

Yes () No ()

Nature of the Emergency:

AND WHEREAS the Declaration of a State of Local Emergency was signed on the _____ day of _____, 20__;

AND WHEREAS the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, continues to exist or may exist in the Designated Area(s) noted above;

THE UNDERSIGNED HEREBY DECLARES pursuant to Section 20(2) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above is renewed as of and from _____ o'clock in the forenoon () or afternoon () of the _____ day of _____, 20__.

THE RENEWAL OF A DECLARATION OF STATE OF LOCAL EMERGENCY shall exist until _____ o'clock in the forenoon () or afternoon () of the _____ day of _____, 20__, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*;

THIS RENEWAL was authorized by the Minister responsible for the *Emergency Management Act*, pursuant to Section 20(2) of the Act by approval dated the _____ day of _____, 20__.

DATED at _____, in the Municipality of _____, Province of Nova Scotia, this _____ day of _____, 20__.

Council of Municipality

In the event the Council is unable to act:

Name

Mayor/Warden

Position

[Authorized by Resolution No. _____
dated the _____ day of _____,
20__]

Form 7 Termination of a State of Local Emergency for Council of Municipality

FORM 7

TERMINATION OF A STATE OF LOCAL EMERGENCY
(Council of Municipality)

Section 18(2) of the *Emergency Management Act*, S.N.S. 1990, c.8

WHEREAS by a Declaration of a State of Local Emergency dated the _____ day of _____, 20____, as renewed on the _____ day of _____, 20____, a State of Local Emergency was declared for the following area:

Emergency Area:

The area generally described as

Province of Nova Scotia (hereafter referred to as the "Designated Area(s)")

Yes () No ()

Nature of the Emergency:

AND WHEREAS the undersigned is of the opinion that an emergency no longer exists in the Designated Area(s).

THE UNDERSIGNED pursuant to Section 18(2) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, hereby terminates the State of Local Emergency effective as of and from _____ o'clock in the forenoon () or afternoon () of the _____ day of _____, 20__.

DATED at _____, in the Municipality of _____, Province of Nova Scotia, this _____ day of _____, 20__.

Council of Municipality

Name

Position

[Authorized by Resolution No. _____
dated the _____ day of _____,
20__]

Glossary of Terms

AEC	Assistant Emergency Management Coordinator
ECC	Emergency Coordination Centre
EMC	Emergency Management Coordinator
IC	Incident Commander
NS EMO	Nova Scotia Emergency Management Office
REMAC	Regional Emergency Management Advisory Committee
REMO	Regional Emergency Management Organization
REMP	Regional Emergency Management Plan
SOE	State of Emergency
SOLE	State of Local Emergency
TMR	Trunk Mobile Radio

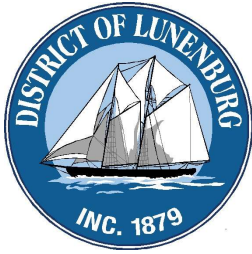
LUNENBURG COUNTY REMO

**Emergency Management Coordinator
902-930-1085**

**EMO@MODL.CA
INFO@EMERGENCYMEASURES.CA**

 **@RegionalEMO**





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

July 14, 2020

To Mayor Bolivar-Getson and
Municipal Councillors

Dear Council:

The CAO Evaluation Committee's recommendation regarding the CAO's 2020 review was presented and discussed by Council In Camera on July 14, 2020. As a result of that discussion, the following motion is required:

"that Municipal Council accept the Report of the CAO Evaluation Committee and confirm the CAO's salary effective October 1, 2020, to be the second option recommended and discussed In Camera".

Respectfully submitted,

Deputy Mayor Hustvedt, Chairman
CAO Evaluation Committee



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Municipal Council
SUBMITTED BY: Byung Jun Kang, Planner
DATE: July 28, 2020
RE: Adoption of the Interpretation By-law

RECOMMENDATION

That Municipal Council give notice of its intention to adopt the Interpretation By-law, as presented in Appendix A of a staff report, and conduct First Reading of the same; and further that Municipal Council give notice of Second Reading on September 8, 2020.

EXECUTIVE SUMMARY

When staff implements Council decisions, numbers are used to identify specific enactments. Convenient referencing reduces ambiguity, length of citations, and time spent on administrative work. Currently, only municipal policies are being numbered.

This proposed Interpretation By-law enables staff to number and cite by-laws and policies in a simple and consistent manner. An operational procedure and the list of by-law numbers are also provided for convenience.

ORIGIN

At a Strategic Management Team meeting on July 8, 2020.

LEGISLATIVE AUTHORITY

Subsection 48(3) of the [Municipal Government Act](#) states the following:

In addition to matters specified in this Act or another Act of the Legislature, the council may adopt policies on any matter that the council considers conducive to the effective management of the municipality.

BACKGROUND

Municipal Council makes decisions in the exercise of its powers and duties by resolution, by policy, or by by-law (subsection 47(1) of the [Municipal Government Act](#)). For staff, references to the existing enactment are made often while implementing, enforcing, and suggesting changes to those decisions. References are also used for amending enactments to their consolidated versions.

The numbering of enactment makes referencing easier. However, only some Council policies are numbered in the Municipality. While the practice of numbering by-laws occurred in the Municipality before 1999, the reasoning for its disappearance remains unknown.

Different Methods of Indexing

The 3 common methods used to index regulations are a long title, short title, and number ([House of Commons, 2017](#)). Because each method has a different advantage over another, a variety of indexing methods may be implemented to complement one another.

The long title sets out the purpose of the by-law, in general terms, and must accurately reflect its content. While long titles provide details of what by-laws cover, it is difficult to use them as references due to its lengthiness, both in writing and in speaking.

The short title is used mainly for purposes of citation, and does not necessarily cover all aspects of the proposed by-law. They summarize the topic of by-laws with 7 or less words on average. A confusion may occur as individuals may have different thoughts on proper short titles for each by-law or policy. For example, “a By-law respecting the Improvement and Maintenance of Private Streets” may be shortened as the “Private Roads By-law” or “Private Streets Maintenance By-law” or in any other variation – despite designating an official short title. There is also a need to distinguish multiple by-laws that cover the same topic.

The number is assigned to facilitate filing and reference. Numbers reduce ambiguity and the need for extensive search in database like Laserfiche. A good example is our policy number, where a user only needs to type in “MDL-66” to find all related-information on the Public Participation Program in the Municipality. In summary, short titles are useful for speaking, while numbers are useful for writing and filing.

Principles of Numbering

The philosophy of numbering is clear: it should be concise. Long, complicated numbers and letters defeat the purpose of numbering. This is supported by the Miller’s Law, which states on average, a human can process up to 7 ± 2 items using their working memory. In choosing the method of numbering, the following principles are recommended in the order of priority:

1. to increase its findability, numbers must be concise;
2. to summarize its content, numbers must be meaningful;
3. to classify its category, numbers must be distinguishable.

Conciseness. When the number of digits goes over 7, the probability of retaining information decreases exponentially. Similar principle applies to other information, such as phone numbers and postal codes. In any cases, the digits are seldom over 9, like the Social Insurance Numbers.

To be concise, the numbering method should be chosen based on the number of enactments passed in a given time. Numbering by-laws chronologically from 1 may be more suitable for those municipalities that passes less than 10 by-laws a year (i.e. Bridgewater, “By-law 192”). Numbering by-laws in an alphabetical order may be more appropriate for medium-size municipalities (i.e. Halifax, “By-law A-100”). Numbering by-laws by including the year of adoption may be more suitable for those municipalities that passes hundreds of by-laws in a year (i.e. Toronto, “By-law 569-2013”). After a certain point, numbering by-laws chronologically becomes more appropriate when the number of enactments made is varied significantly by year (i.e. all municipalities in the Republic of Korea, “By-law No. 19340”).

Meaningfulness. While numbers can identify the sequential order of adoption, they do not indicate the content of enactments. Typically, the approval date can be used as numbers. Letters may also used for coding by-laws. For example, in Bathurst, NB, where a zoning by-law amendment requires a concurrent amendment to its municipal plan, a by-law amending the zoning by-law receives the letter “Z”, and a by-law amending the municipal plan receives the letter “M” at the end of their identical by-law numbers (i.e. “By-laws 2013-01M and 2013-01Z”).

Distinguishableness. If the type of enactments and documents can be distinguished by numbering, that method is considered an asset. Typically, a municipality would assign different numbering system for each type of enactments, or distinguish them by inserting words like “By-law” and “Policy” in front of their identifying numbers. Both can be used simultaneously.

Each enactment must also be distinguishable. A by-law number cannot be too concise to cause duplication. For example, only the last couple of digits of adoption year may be used in the by-law numbering (i.e. “By-law 20-102” for the 102nd by-law adopted in 2020). However, the risk of duplication increases when a new century begins.

Evaluating the Existing Practice of Policy Numbering

A consideration should be given to the existing practice of numbering Council policies in the Municipality. If the new method of by-law numbering is similar to numbering policies, it may reduce confusion after the implementation of this proposed By-law.

Some of the characteristics of policy numbering in the Municipality include the following:

- A policy is numbered chronologically to the order of adoption.
- Only a policy adopted by Council is numbered.
 - Amending and repealing policies are not numbered.
 - Replacing policies use the same number as the policies they are replacing.
- A number is followed by the prefix “MDL” and a dash.

Chronological Numbering. As discussed in the Conciseness subsection, in the Municipality, the chronological numbering system is used instead of the alphabetical numbering system. Considering the low number of enactments passed each year, as well as the high variation in the number of enactments passed in each year, maintaining the chronological system is recommended. In Nova Scotia, municipalities such as the Town of Bridgewater, the District of Chester, and the County of Kings have chosen this method.

A new series may be commenced in each calendar year; however, it is not recommended because inserting the year of adopted will actually increase the digits in the enactment number, based on the low number of enactments passed in the Municipality.

Selective Numbering. The selective numbering system runs counter to the holistic numbering system. The holistic numbering system assigns numbers to all enactments – including the ones amending and repealing existing enactments. The federal and provincial governments around the world, as well as some municipal governments, have adopted holistic numbering, as the system is useful to number enactments that amend multiple enactments.

The selective numbering, which assigns numbers to only the newly adopted enactments, is used in some municipalities to reduce the number count. Because not all enactments are numbered, its major disadvantage is inconsistency. Referencing to the amending or repealing enactments would be also challenging under this system. This could be improved by assigning a suffix for amending and repealing enactments, which is further discussed in the next section.

Prefix. The prefix “MDL” is used to identify that the number is assigned to a municipal policy. Similar practices are done at the provincial level, where regulations have the prefix “Nova Scotia Regulations” or “N.S. Reg.” (Section 19 of the [Regulations Act](#)). It is recommended to follow the provincial method by using the prefixes “MODL By-law” or “MODL Policy”. As the prefix has occasionally caused confusion in Council meetings, “MODL” part may, and recommended to, be omitted for internal use (Section 21 of the [Interpretation Act](#)).

Amending and Repealing Enactments

A by-law can only be amended, substituted, or repealed by another by-law – unless it is otherwise authorized by a provincial act or regulations. For consistency, all municipal enactments should be numbered.

This is different from the current practice of numbering municipal policies, as only those policies creating new rules or merging multiple policies have been numbered. This includes by-laws, and amendments to planning strategies and land use by-laws, since each planning document is adopted by by-law.

Instead of assigning a whole number to amending and repealing enactments, a letter or decimal suffix may be added to the original enactment. This practice is done in municipalities like the City of Moncton, NB, where 73rd amendment to the Zoning By-law is numbered “Z-213.73”.

Repeal-and-Substituting Enactments

An enactment may be amended by repealing the enactment and adopting a substituting enactment. While the purpose and the topic of enactment may remain similar, sections within the substituted enactment may state completely different provisions, so that the references made before the repeal-and-substitution unfunctional. This also applies to plan reviews.

In the previous example of the City of Moncton, a substituting enactment receives a unique two-digit number following the number assigned to the enactment it is substituting. To clarify, the Zoning By-law (Z-200) that is reviewed for the 13th time is assigned the number “Z-213”. This way, the public knows that any enactment starting with the number “Z-2” is the Zoning By-law, and the last two digits indicate its version. Using the two-digit system, however, increases the overall number of digits.

Alternatively, a new number may be assigned. For example, a new Solid Waste By-law in Bridgewater is numbered “Chapter 203”, replacing the former by-law of “Chapter 127”. This method would suit more to the Municipality with the chronological numbering system. Either way, a new number should be assigned to an enactment that repeals and substitutes another enactment to avoid confusion on the references made previously to the repeal.

Consolidated Enactments

A consolidated enactment incorporates all the amendments into the original text of enactment. While consolidated enactments do not exist on paper, they are available as a convenient way for the public to view the state of the law, without having to carry out research and put together the various amended provisions ([Canada Department of Justice, 2020](#)).

The consolidated enactments may be assigned the same number as the original enactment – the practice that is already implemented for our municipal policies. Only when a reference to the original enactment is desired, the reference specifies so.

Citation of Enactments

In Nova Scotia, federal and provincial acts may be cited by reference to its long or short title, along with number. A citation to an enactment is deemed a citation to the enactment as amended (Section 20 of the [Interpretation Act](#)). If the Municipality implements similar rules, the new numbering system may reduce the length of Council resolutions. For example, the following motion: “that Municipal Council conduct Second Reading 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 with the Private Roads By-law, as presented and hereby adopt the By-law”, may instead be cited as “that Municipal Council conduct Second Reading to repeal By-law 14, and substitute with By-law 15 as presented and hereby adopt By-law 15”.

DISCUSSION

Numbering and Citation of By-law

“A by-law must be numbered in the order in which it is filed. If a by-law contains only those provisions that amend or repeal other provisions in an existing by-law, the by-law must be numbered with the same number as the existing by-law, followed by a capital letter in the order in which they are adopted by Council. A by-law when adopted may be cited as ‘MODL By-law’, followed by the number thereof.”

For a greater certainty, a new series will not be commenced in each calendar year because Council, on average, passes no more than 5 by-laws in a year.

Amending or Repealing Multiple Enactments. Multiple by-laws need to be amended or repealed at the same time when a change is made to a general Council intention. For example, when a new by-law is adopted, redundant or obsolete by-laws may be repealed, and related by-laws may be amended so all enactments stay up-to-date – like how the [Municipal Government Act](#) is laid out from Sections 545 to 583. In this case, since the amending and repealing clauses are part of the new by-law, a new number would be assigned. Similarly, a by-law amending one existing by-law may contain multiple clauses amending or repealing other by-laws. In this case, the number of the existing by-law and the letter suffix would be assigned.

Some by-laws require a concurrent amendment to another by-law or policies, such as an amendment to a municipal planning strategy and a concurrent amendment to a land use by-law. In this case, amendments may be adopted as separate enactments and be assigned a letter suffix. This method can also be used if only a few by-laws are being amended or repealed.

Numbering and Citation of Policy

“A policy must be numbered in the order in which it is passed by Council. A policy amended or repealed by Council does not receive a number. A policy when adopted may be cited as ‘MODL Policy’, followed by the number thereof.”

This is different from the current practice of citing as “MDL” followed by a dash and the number thereof. The new section does not require the numbers of existing policies to be renumbered, but it is recommended to be updated at a time when each policy requires an amendment.

Different types of Policy. Under the [Municipal Government Act](#), policy is defined as a resolution of the council that is required to be recorded in the by-law records of a municipality. Because of that, some policies are similar to by-law while the rest are similar to resolution. While all enactments should be numbered to be consistent, it may not be feasible to number some policies, such as a development agreement or its amendment. The authority to exempt some policies from numbering should be delegated to a subordinate policy to this By-law. At the moment, the Interpretation Policy is not proposed.

Numbering and Citation of Other Documents

Some of the administrative documents are already numbered by staff, such as operational procedures, permits, tenders, and projects. To respect the existing practice, each department of municipal administration should define the rule as operational procedure or as policy, should they wish, instead of as provisions in this By-law.

Definitions and Interpretation

This By-law may also contain the definitions and the interpretation rules that apply to all other by-laws in the Municipality. This would reduce the need to define commonly-used terms, like “Municipality”, as well as the need to define common interpretation rules.

Citation of Enactment

“In an enactment or document, an enactment of the Municipality or any other municipality and province of Canada or of Canada may be cited by reference to its title, its short title, or its number. A citation of or reference to an enactment is deemed to be a citation or reference to the enactment as amended.”

This provision, a direct reference to Section 20 of the [Interpretation Act](#), can shorten council resolutions as described in the Background part.

LEGAL IMPLICATIONS

Municipal Solicitor determined that the enactment numbers exist for convenience and indexing purposes only, like how section titles and numbers are not considered part of the enactment. Therefore, an omnibus by-law may be adopted to number all of the existing and future enactments (Section 12 of the [Interpretation Act](#)).

WORK PLAN IMPLICATIONS

A standard process for adopting a by-law is to be followed as stated in Sections 168 and 169 of the **Municipal Government Act**: two readings without a public hearing. Table 1 contains the detailed schedule of the adoption process.

Table 1 Work Plan Implications for the Adoption of the Interpretation By-law	
Proposal submitted	May 13, 2020
Strategic Management Team meeting	July 8, 2020
Council first reading	July 28, 2020
Council second reading	September 8, 2020
Notice of adoption	September 16, 2020
Total duration	126 days

ALTERNATIVES

Numbering of municipal by-laws and policies are not mandatory under the legislation. However, referencing the enactments would remain challenging for municipal staff.

ATTACHMENTS

Schedule "A": MODL By-law List

Schedule "B": MODL Policy List

Appendix A: Interpretation By-law

Department: Planning

Report Prepared By: Byung Jun Kang, Planner

Date: 2020-06-19

Report Approved By: Sherry Conrad, Municipal Clerk

Date: 2020-06-30

Report Approved By: Jeff Merrill, Director

Date: 2020-07-02

Report Reviewed By: Tom MacEwan, Chief Administrative Officer

Date: 2020-07-24



Municipality of the District of Lunenburg By-law List

Updated 2020-07-01

By-law No.	By-law Title	Effective Date
001	Street Improvement By-Law	1988-03-24
001A	Amendments to the Street Improvement By-Law (2007)	2007-10-16
001B	Amendments to the Street Improvement By-Law (2008)	2008-11-08
001C	Amendments to the Street Improvement By-Law (2014)	2014-06-18
001D	Amendments to the Street Improvement By-Law (2015)	2015-05-20
002	Dog By-Law	1995-05-03
002A	Amendments to the Dog By-Law (1995a)	1995-10-25
002B	Amendments to the Dog By-Law (1997)	1997-05-27
002C	Amendments to the Dog By-Law (2002)	2002-06-09
002D	Amendments to the Dog By-Law (2006)	2006-12-18
003	Relief from Liability By-Law	1995-06-28
004	Heritage Property By-law	1996-10-11
005	Lunenburg Municipal Industrial Secondary Planning Strategy	1999-05-04
005A	Amendments to Lunenburg Municipal Industrial SPS (2015)	2015-04-01
005B	Amendments to Lunenburg Municipal Industrial SPS (2018)	2018-10-11
006	Lunenburg Municipal Industrial Land Use By-law	1999-05-04
006A	Amendments to Lunenburg Municipal Industrial LUB (2011)	2011-05-10
006B	Amendments to Lunenburg Municipal Industrial LUB (2018)	2018-10-11
007	Domestic Animal By-law	1999-08-11
007A	Amendments to the Domestic Animal By-law	2006-01-16

008	Fire Department Tax Exemption By-Law	1999-12-13
009	Full Tax Exemption By-Law	2001-09-25
010	Partial Tax Exemption By-law	2001-09-25
011	Municipal Sewer By-law	2002-11-01
011A	Amendments to the Municipal Sewer By-law (2006)	2006-12-20
011B	Amendments to the Municipal Sewer By-law (2009)	2009-04-21
012	Shore Drive Wastewater Management District By-law	2003-10-08
012A	Amendments to the Shore Drive Wastewater Management District By-law (2009)	2009-04-21
012B	Amendments to the Shore Drive Wastewater Management District By-law (2014)	2014-07-30
013	Capital Cost Recovery By-Law for Water Systems	2004-12-20
013A	Amendments to the Capital Cost Recovery By-Law for Water Systems (2011)	2011-01-25
014	Riverport Secondary Planning Strategy	2005-08-10
014A	Amendments to the Riverport SPS (2009)	2009-02-10
014B	Amendments to the Riverport SPS (2015)	2015-04-01
014C	Amendments to the Riverport SPS (2016)	2016-03-09
014D	Amendments to the Riverport SPS (2019)	2019-10-30
014E	Amendments to the Riverport SPS (2020)	Proposed
015	Riverport Land Use By-law	2005-08-10
015A	Amendments to the Riverport LUB (2009)	2009-02-10
015B	Amendments to the Riverport LUB (2011)	2011-05-10
015C	Amendments to the Riverport LUB (2016)	2016-03-09
015D	Amendments to the Riverport LUB (2019)	2019-10-30
016	Deed Transfer Tax By-law	2005-09-01
016A	Amendments to the Deed Transfer Tax By-law (2008)	2008-07-08
016B	Amendments to the Deed Transfer Tax By-law (2009)	2009-06-16
016C	Amendments to the Deed Transfer Tax By-law (2010)	2010-07-06

017	Police Clearance Certificate Application Fees By-Law	2005-12-21
017A	Amendments to the Police Clearance Certificate Application Fees By-Law (2008)	2008-11-18
018	Building Code By-law	2006-04-03
018A	Amendments to the Building Code By-law (2009)	2009-07-21
018B	Amendments to the Building Code By-law (2009a)	2009-08-18
018C	Amendments to the Building Code By-law (2011)	2011-03-18
019	Motor Vehicle Transient Vendors By-law	2006-09-18
019A	Amendments to the Motor Vehicle Transient Vendors By-law	2007-12-18
020	Osprey Village Secondary Planning Strategy	2007-01-24
020A	Amendments to the Osprey Village SPS (2007)	2007-05-30
020B	Amendments to the Osprey Village SPS (2015)	2015-04-01
020C	Amendments to the Osprey Village SPS (2019)	2019-05-26
020D	Amendments to the Osprey Village SPS (2020)	2020-05-15
021	Osprey Village Land Use By-law	2007-01-24
021A	Amendments to the Osprey Village LUB (2007)	2007-05-30
021B	Amendments to the Osprey Village LUB (2010)	2010-08-11
021C	Amendments to the Osprey Village LUB (2011)	2011-05-10
021D	Amendments to the Osprey Village LUB (2016)	2016-03-09
021E	Amendments to the Osprey Village LUB (2019)	2019-05-26
021F	Amendments to the Osprey Village LUB (2020)	2020-05-15
022	Regional EMO By-law (not approved by Province)	2008-06-03
023	Blockhouse Secondary Planning Strategy	2008-10-14
023A	Amendments to the Blockhouse SPS (2015)	2015-04-01
023B	Amendments to the Blockhouse SPS (2015a)	2015-07-01
023C	Amendments to the Blockhouse SPS (2016)	2016-06-08
023D	Amendments to the Blockhouse SPS (2020)	Proposed
024	Blockhouse Land Use By-law	2008-10-14

024A	Amendments to the Blockhouse LUB (2011)	2011-05-10
024B	Amendments to the Blockhouse LUB (2015)	2015-07-01
024C	Amendments to the Blockhouse LUB (2016)	2016-06-08
025	Police Advisory Board By-law (not approved by Province)	2009-05-12
026	Vendors in Municipal Parks By-law	2010-07-06
027	Hebville Secondary Planning Strategy	2012-02-14
027A	Amendments to the Hebville SPS (2014)	2014-11-05
027B	Amendments to the Hebville SPS (2014a)	2014-12-03
027C	Amendments to the Hebville SPS (2015)	2015-04-01
027D	Amendments to the Hebville SPS (2016)	2016-03-09
027E	Amendments to the Hebville SPS (2017)	2017-02-22
027F	Amendments to the Hebville SPS (2020)	Proposed
028	Hebville Land Use By-law	2012-02-14
028A	Amendments to the Hebville LUB (2013)	2013-05-14
028B	Amendments to the Hebville LUB (2014)	2014-11-05
028C	Amendments to the Hebville LUB (2014a)	2014-12-03
028D	Amendments to the Hebville LUB (2016)	2016-03-09
028E	Amendments to the Hebville LUB (2017)	2017-02-22
029	Saw Pit Wharf By-Law	2013-05-17
029A	Amendments to the Saw Pit Wharf By-Law (2014)	2014-07-30
030	Civic Address By-Law	2013-09-01
031	Property Assessed Clean Energy Program By-Law	2015-09-02
032	Princes Inlet Secondary Planning Strategy	2016-02-17
032A	Amendments to the Princes Inlet SPS (2020)	Proposed
033	Princes Inlet Land Use By-law	2016-02-17
033A	Amendments to the Princes Inlet Land Use By-law (2016)	2016-06-02
034	LaHave River Wastewater Management District By-law	2017-08-31

034A	Amendments to the LaHave River Wastewater Management District By-law (2019)	2019-02-20
035	Municipal Planning Strategy	2018-10-31
036	Subdivision By-law	2018-10-31
037	Oakland Secondary Planning Strategy	2019-05-01
038	Oakland Land Use By-law	2019-05-01
039	Solid Waste Collection & Disposal By-Law	2020-03-04
040	Private Roads By-law	2020-06-17
041	Electronic Voting By-Law	2020-07-08
042	Interpretation By-law	2020-08-19



Municipality of the District of Lunenburg Policy List

Updated 2020-07-01

Policy No.	Policy Title	Effective Date	Amended Date
001	Proceedings of the Council Policy	2010-11-09 (Repealed & Replaced)	2016-01-26 2016-10-11
002	Committees of the Council Policy	2012-03-27 (Repealed & Replaced)	2013-01-22 2014-09-23 2016-01-26 2016-10-11 2016-11-08 2020-07-14
003	Councillor Remuneration & Expenses Policy	2011-05-10 (Repealed & Replaced)	2018-10-23
004	Non-Councillor Committee, Board or Commission Members Policy	2007-10-09 (Repealed & Replaced)	2013-04-09 2020-07-14
005	Administration Policy	1999-04-01	
006	Loan Guarantees for Community Organizations Policy	1999-04-01	
007	Dangerous and Unsightly Property Policy	1999-04-01	2003-02-11 2004-09-14 2009-02-10 2009-07-14 2010-09-14 2015-10-13

008	Records Management and Destruction Policy	1999-10-19	
009	Payment of Taxes by Installments Policy	2000-02-01	2009-04-14
010	Request for Capital Expenditure Policy	2000-06-06	
011	Deputy Mayor Policy	2008-11-06 (Repealed & Replaced)	
012	Tax Exemption/Reduction Policy (for Properties Destroyed by Fire)	2001-08-14	2017-07-11
013	Community Capital Grant Program Policy	2001-10-09	2008-06-10 (Repealed and Consolidated into Policy 043)
014	Community Program Grant Policy	2001-10-09	2008-06-10 (Repealed and Consolidated into Policy 043)
015	Land Use By-law Violations Policy	2002-02-12	
016	Development Agreement Inspections & Violations Policy	2002-02-12	
017	Promotional Ads Policy	2002-02-12	
018	Civic Addressing Policy & Guidelines Policy	2002-03-12	2002-04-09 2004-01-13 2013-04-23 (Repealed)
019	Reimbursement of Educational and Training Expenses of Council Members Policy	2002-04-09	2017-01-10
020	Investment Policy	2002-05-14	(Pending approval from the Province)
021	Procedure for Formation of a Planning Area Policy	2001-10-09	2002-08-13 2004-06-11 2005-11-08

			2011-01-11 2020-07-14 (Repealed)
022	Tax Relief Provisions for Fiscal Year 2002/2003 Policy	2002-08-13	
023	Flag Protocol Policy	2002-07-09	2005-12-13 2006-04-26 2008-07-08 2009-01-15 2010-04-13 2016-06-28
024	Subdivision By Law Policy Amendment Policy	2003-11-12	2020-05-26 (Repealed)
025	Public Highway Engineering Specification Amendment Policy	2004-06-01	2020-05-26 (Repealed)
026	System of Municipal Fire Inspections Policy	2004-05-11	
027	Alteration Review Procedure to Municipal Heritage Properties Policy	2004-05-11	
028	Funeral Protocol Policy	2005-04-12	
029	Petition Procedures for Provincial Roads Policy	2005-10-11	2014-06-10 2015-05-12 2017-08-22 (Repealed)
030	Youth Subsidy Policy	2005-12-13	2008-06-10 (Repealed and Consolidated into Policy 043)
031	Intersection Street Light Policy	2006-08-08	
032	Enforcement Policy	2006-08-08	
033	Purchasing and Tendering Policy	2013-12-10 (Repealed & Replaced)	2016-01-12

034	Pro-Ration of Sewer Area Rates Policy	2007-02-13	
035	Streetlights Policy	2007-03-13	2009-09-08 2011-01-11 2012-03-13 2015-01-13
036	Fire and Emergency Services Policy	2007-09-11	2008-02-12 2009-10-13 2011-02-08 2014-01-28 2017-05-09 2018-02-27
037	Code of Conduct Policy	2007-10-09	
038	Public Presentations to Council & Finance Committee Policy	2007-10-09	2016-01-26
039	Petition Procedures for Municipal Roads Policy	2007-10-09	2017-08-22 (Repealed)
040	Street Improvements Reserve Fund Policy	2007-10-09	2017-08-22 (Repealed)
041	Payment from Street Light Areas Policy	2008-02-12	2008-07-08 2010-06-08
042	Criteria for Acts of Bravery and Achievement Awards Policy	2008-03-11	2009-02-10 2016-01-26
043	Community Grants Program / Sponsorship Request Policy	2008-06-10	2008-09-09 2008-10-09 2009-01-13 2009-11-10 2010-04-13 2013-04-09 2014-09-23 2015-09-22 2016-01-26 2017-07-25

			2018-10-23
044	Distribution of Compost Carts Policy	2008-11-12	
045	Salary Administration Policy	2019-06-11 (Repealed & Replaced)	
046	Credit Card Policy	2010-06-08	2020-05-26
047	Tangible Capital Assets Policy	2013-02-12	
048	Designated Community Project Fund Policy	2009-04-14	2019-07-23
049	Property Tax Rebate Policy	2009-07-14	2015-04-14 2015-11-10 2019-01-22 2019-10-22
050	Business Continuity Plan Policy	2009-10-13	2013-10-08
051	Personnel Policy	2009-11-10	2018-09-25 2019-06-25
052	Occupational Health & Safety Policy	2020-02-25 (Repealed & Replaced)	
053	Comfort Centre Generator Fund Policy	2015-03-24 (Repealed & Replaced)	
054	Baby & Family Friendly Policy	2010-02-09	
055	Use & Receipt of Government Facilities & Land Policy	2010-10-12	2015-03-24 (Repealed)
056	Membership Selection Area Advisory Committee Policy	2011-02-08	2012-04-24 2020-10-01 (Repealed)
057	Acceptance of Donated Land Policy	2011-06-14	
058	Municipal Fee Policy	2011-01-11	2011-05-10 2019-02-12 2020-02-25

059	Smoke Free Places Policy	2012-07-10	2018-09-25
060	Social Media Policy	Proposed	
061	Healthy Eating Policy	2012-09-25	
062	Capital Debt Policy	2013-02-12	
063	Osprey Ridge Fee Policy	2013-01-22	2018-03-27 (Repealed)
064	Private Road Signage Program Policy	Proposed	
065	Divesture of Surplus Land Policy	2015-03-24	
066	Public Engagement Policy	2020-07-14 (Repealed & Replaced)	
067	PACE Program Clean Energy Upgrade Standards Policy	2016-07-12 (Repealed & Replaced)	
068	PACE Program Lending Rate Policy	2015-08-25	2017-05-23
069	Antenna Siting Protocol Policy	2015-01-13	
070	Certificate of Recognition Supporting Emergency Services Policy	2017-04-25	
071	Revenue Collection Policy	2017-06-13	
072	LaHave River Wastewater Management District Cost Recovery Policy	2017-09-12	2019-02-12
073	LaHave River Straight Pipe Replacement Program Policy	2017-08-22	2019-02-12
074	Unsightly Premises Clean-Up Assistance Program Policy	2017-10-10	
075	Road Improvement Policy	2017-10-24	
076	Signing Authority Policy	2017-12-12	
077	Gifts and Hospitality Policy	2019-06-25	
078	Subdivision Application Form (part of By-law 036)	2018-09-24	
079	Existing Private Schedule "B" Roads (part of By-law 036)	2018-09-24	

080	Minimum Lot Sizes for Lots with Central Sewer (part of By-law 036)	2018-09-24	
081	Subdivision Approval Notice Form (part of By-law 036)	2018-09-24	
082	Application Form for Repeal of Subdivision (part of By-law 036)	2018-09-24	
083	Repeal of Subdivision Notification Form (part of By-law 036)	2018-09-24	
084	Design Requirements for Water and Sewer Systems (part of By-law 036)	2018-09-24	
085	Municipal Road Design Standards (part of By-law 036)	2018-09-24	
086	Stopping Sight Distance Chart (part of By-law 036)	2018-09-24	
087	Standard Details for Public Roads and Private Designed Roads (part of By-law 036)	2018-09-24	
088	Areas Where New Public Roads Are Permitted (part of By-law 036)	2020-05-26	
089	Video Surveillance Policy	Proposed	
090	Planning Advisory Committee Policy	2020-07-14	

**Municipality of the District of Lunenburg
MODL By-Law 042**

**A By-Law respecting Interpretation,
Definitions, and Indexing of Enactments**

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority vested in it by subsection 48(3) and Section 187 of the **Municipal Government Act**, that a By-Law respecting Interpretation, Definitions, and Indexing of Enactments be adopted as follows:

Short title

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

Definitions

2 In this By-law and in any other enactments of the Municipality, unless the context otherwise requires,

- (a) “Council” means the council of the Municipality;
- (b) “enactment” includes a municipal resolution, policy, and by-law;
- (c) “Municipality” means the Municipality of the District of Lunenburg; and
- (d) all definitions in the **Municipal Government Act** applies.

Application of this By-law

3 Except where a contrary intention appears, every provision of this By-law applies to every enactment made at the time, before or after this By-law comes into force.

Interpretation

4 In this By-law and in any other enactments of the Municipality, unless the context otherwise requires, the rules for interpretation of enactments as stated in the **Interpretation Act** of Nova Scotia applies.

Reference of enactments

- 5**
- (1)** In an enactment or document, an enactment of the Municipality or any other municipality and province of Canada or of Canada may be cited by reference to its title, its short title, or its number.
 - (2)** A citation of or reference to an enactment is deemed to be a citation or reference to the enactment as amended.

Numbering of by-laws

6 **(1)** A by-law must be numbered in the order in which it is filed.

- (2) If a by-law contains only those provisions that amend or repeal other provisions in an existing by-law, the by-law must be numbered with the same number as the existing by-law, followed by a capital letter in the order in which it is filed.

Citation of by-laws

- 7 A by-law when adopted by Council may be cited as “MODL By-law”, followed by the three digits of the number thereof.

Numbering of policies

- 8 (1) A policy must be numbered in the order in which it is passed by Council.
- (2) A policy amended or repealed by Council is not numbered.
- (3) Notwithstanding subsection (1), a certain type of policies prescribed by the Policy may be exempted from numbering.

Citation of policies

- 9 A policy when passed by Council may be cited as “MODL Policy”, followed by the three digits of the number thereof.

Numbering and citation of other documents

- 10 A provision for the numbering and citation of documents created by the municipal staff, such as operational procedures, guidelines, permits, tenders, notices, and terms of reference, may be prescribed in the Policy or in an operational procedure of a department of municipal administration.

Numbering of existing enactments

- 11 (1) Notwithstanding subsection 6(1), the by-laws repealed before this By-law comes into force are not numbered.
- (2) Notwithstanding subsection 8(1), the policies adopted before this By-law comes into force are numbered using the existing practice of policy numbering.



Municipality of the District of Lunenburg

Report to Council

Report To: Mayor and Municipal Council Members
Submitted By: Sherry Conrad, Municipal Clerk
Date: July 15, 2020
Re: **Proposed Amendment to Article 18 of Personnel Policy MDL-51**

Municipal Council, in session on July 14, 2020, received a report recommending that Article 18 “Retirement and Pension Plan” of Personnel Policy MDL-51 be amended to update the Personnel Policy to reflect the retirement and pension requirements of the Public Service Superannuation Plan (PSSP) and made a motion to give notice of its intention to amend Article 18 of Policy MDL-51 at the July 28, 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 proposed amendment to Article 18 of Policy MDL-51 will be presented for Council’s approval at the July 28, 2020 Council session. The Council meeting of July 14, 2020 was hereby considered as Council’s notice.

If Council approves of the proposed amendment to Article 18 of Personnel Policy MDL-51, the following motion would be necessary.

“That Municipal Council approve the proposed amendment to Article 18 “Retirement and Pension Plan” of Personnel Policy MDL-51 as presented”.

Sherry Conrad
Municipal Clerk

/sac
Attachments

ARTICLE 18 - RETIREMENT AND PENSION PLAN

~~18.01 The Pension Plan is mandatory to all new employees who meet the criteria of eligibility upon completion of the waiting period specified in the Pension Plan rules.~~

~~18.02 Eligible employees hired after June 25, 2013 are required to join the Defined Contribution Pension Plan. Eligible employees hired prior to June 25, 2013 are members of the Defined Benefit Pension Plan.~~

~~18.03 Contributions required are based on pension plan rules.~~

~~18.04 If a member of the Defined Benefit Pension Plan terminates employment with the Municipality, they may be entitled, per the Pension Plan, to a lump sum termination benefit. Any Transfer Deficiencies in the Municipal Pension Plan will not cause a deferral of this benefit and will be funded by the Municipality as needed.~~

18.01 Effective March 1, 2020, the Municipality became a participant in the Nova Scotia Public Service Superannuation Plan ("PSSP") as an employer.

18.02 All new and current Permanent Full-time Employees and Permanent Part-time Employees shall participate in the PSSP in accordance with the eligibility and other rules of the PSSP.

18.03 Temporary Employees shall not be entitled to participate in the PSSP, unless otherwise expressly permitted by the Municipality pursuant to the terms of their Employment Contract or Letter of Hire.



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Council
SUBMITTED BY: Sarah Kucharski
DATE: July 28, 2020
RE: Comfort Centre Generator Grant

RECOMMENDED MOTION

Move that Council award the 2020/21 Comfort Centre Generator Grant to Hebbville Fire Department for their refurbishment project in the amount of \$7,000 and defer the Martin's River grant approval of \$7,000 to 2021/22.

BACKGROUND

MODL has instituted a grant program to assist community centres and fire departments interested in acting as Comfort Centres during periods of power outage. Fire departments and other registered community organizations can apply to be a Comfort Centre and receive the grant to offset the cost of installing a generator.

Council annually awards up to \$14,000 to applicants. The amount awarded is determined at the discretion of Council to a **maximum of 66% of eligible costs** and **cannot exceed \$8000** per project. In making the decision, Council can consider the number of applications received, the size of the projects, and the strategic importance of the addition or upgrade of the Comfort Centres.

2020/21 APPLICATIONS

The annual deadline for applications was March 1, 2020. At the June 23, 2020 Special Council meeting two grants were awarded as follows:

Martin's River Fire Dept.	\$7,000
Tri-District Fire Dept.	\$7,000

A third application from the Hebbville Fire Department, also for a refurbishment, was received after the March 1 deadline.

Since the award, Martin’s River Fire Department has requested to defer their refurbishment project to the next fiscal year. If Council approves this request to defer the award, Council could choose to award \$7,000 to Hebbville Fire Department for their refurbishment in the 2020/2021 year.

ALTERNATIVES

Council does have some alternatives to this recommendation within the policy. Policy MDL–53 does not require the maximum eligible amount to be allocated, and Council retains discretion to vary the amount of funding available within the \$8000 maximum.

Department: Administration Report

Prepared By: Sarah Kucharski Date: July 28, 2020

Report Approved By: Tom MacEwan Date: July 22, 2020

Reviewed By CAO: Tom MacEwan Date: July 22, 2020



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Council
SUBMITTED BY: Sarah Kucharski, Communications Officer
DATE: July 21, 2020
RE: Emergency Assistance Fund for Community Facilities

RECOMMENDATION

That Council award the Emergency Assistance Fund for Community Facilities to the organizations listed in the table below, in the amounts recommended below, and that the requests from the South Shore Exhibition and HB Studio Sport Centre be referred to the Finance Committee for further discussion.

EXECUTIVE SUMMARY

The Municipality established an Emergency Assistance Fund for Community Facilities to assist local groups and organizations in addressing the financial hardship caused by the inability to host planned fundraising events and activities during the Covid-19 crisis.

Applications closed on Friday, July 17, 2020.

Applicants could apply for emergency assistance for fundraising events and activities that were scheduled to take place during the Application Period of March 15 to September 30, 2020, but had to be cancelled because of the Covid-19 restrictions.

Local groups and organizations that receive emergency assistance through this program are still eligible to apply for regular municipal grants in the 2020-2021 Fiscal Year.

To be eligible for the Emergency Assistance Fund for Community Facilities, the Applicant was required to demonstrate the following:

- The Applicant must be a non-profit (or not-for-profit) community, charitable, fraternal, educational, recreational, religious, cultural or sporting organization.
- The Applicant must own or operate a community facility or community hall that is used for hosting funding events and activities that are open to the general public and the

community facility or community hall must be located within MODL with the exception of Royal Canadian Legion Branches which are located outside MODL.

- Royal Canadian Legion Branches which are not located in MODL may be eligible for funding provided that the Branch can demonstrate (1) that it has members who are residents in MODL or (2) that it serves residents of MODL.
- The Applicant must demonstrate that it has experienced a negative financial impact resulting from its inability to raise funds through planned fundraising events and activities that had to be canceled due to Covid-19 restrictions.

DISCUSSION

Forty-one organizations and three Legions have applied for funding. The revenue losses from COVID-19 cancellations for these 43 entities total \$841,661.90.

- Applicants who own or operate a community facility or community hall located in the Municipality are eligible to receive up to the Maximum Monthly Funding amount (\$500) to the Maximum Total Funding amount (\$2,500).
- Royal Canadian Legion Branches that are not located within the Municipality of Lunenburg are eligible to receive up to 60% of the Maximum Monthly Funding amount (\$300) to 60% of the Maximum Total Funding amount (\$1,500).

Based on the criteria outlined in the bullet points above, the grants total is **\$80,158**. However, some organizations had inconsistent revenue months, where some months had high revenue claims, and other months had none. If Council elected to award the maximum of \$2,500 to each organization with revenue exceeding \$2,500 total, regardless of the individual months the revenue was lost, the total amount awarded would be **\$97,519**.

One event-based organization applied, South Shore in Motion. Council should decide if this application should be accepted or declined.

Two organizations with facilities in the Town of Bridgewater applied, the South Shore Exhibition and HB Studios Sports Centre. It is recommended that these applications be discussed by Finance Committee.

Organization	Amount
Rosedale New Horizon Seniors Club	\$2,500
West Northfield Community Centre	\$500
Fort Point Museum	\$2,500
Hinchinbrook Farm Society	\$1,550
Parkdale Maplewood Hall	\$2,500
Barss Corner Community Hall Association	\$2,150
Branch LaHave Community Hall	\$2,500
Conquerall Mills Community Hall	\$1,000

New Germany and Area Lions Club	\$1,500
Lunenburg County North River Rec Com Soc	\$2,500
Pine Grove Outdoor Play Association	\$1,300
Riverport and District Community Centre	\$1,700
St. Andrews Anglican West Northfield	\$1,000
St. John's Anglican Church Hall	\$2,500
Upper Northfield Community Hall	\$500
Voglers Cove Community Hall	\$2,500
Wesley United Church	\$2,450
Westside United Church	\$1,900
St. John's in the Wilderness Anglican Church	\$1,000
New Germany Medical Centre	\$2,500
Simpsons Corner Community Hall Society	\$2,500
Tancook Island Rec Hall	\$2,306
St. Paul's United Church Hall	\$2,500
Upper Cornwall Community Hall	\$1,962
Epworth United Church	\$2,500
Broad Cove Community Association	\$2,500
Hemford Fire Dept Ladies Aux	\$2,500
St. Luke's Ladies Aid Community Hall	\$1,090
Hillcrest Masonic Lodge	\$500
Middlewood United Church	\$1,700
Pinehurst Community Hall	\$2,000
Baker Settlement District Community Hall	\$2,500
Riverport Community Centre Ladies Aux	\$2,225
South Shore Bluegrass Music Association	\$2,500
South Shore in Motion	\$2,500
Trinity United Church Hall	\$1,500
Union Square Community Hall Association	\$1,575
Association du centre communautaire de la rive-sud	\$2,000
Lake Centre and New Cumberland Community Hall	\$1,850
LEGIONS	
Lunenburg Legion	\$900
Mahone Bay Legion	\$1,500
New Germany Legion	\$1,500
TOTAL	\$79,158

Department: Administration

Report Prepared By: Sarah Kucharski

Date: July 21, 2020

Report Approved By: Tom MacEwan

Date: July 22, 2020

Reviewed By CAO: Tom MacEwan

Date: July 22, 2020



**Department of Transportation
& Infrastructure Renewal
Capital Programs
Highway Engineering and
Construction**

Johnston Building, 4th Floor
1672 Granville Street
PO Box 186
Halifax, Nova Scotia
B3J 2N2

Special Council
Item: # 7.2.4
Date: July 28, 2020
Authorization: T. MacEwan
Bus: 902-424-0897
Fax: 902-424-0571
E-mail:
laura.cunningham@novascotia.ca

Mr. Kevin Malloy
Chief Administrative Officer
Municipality of the District of Lunenburg
210 Aberdeen Road
Bridgewater, NS B4V 4G8

Dear Mr. Malloy:

RE: THREE YEAR COST SHARE AGREEMENT FOR SUBDIVISION STREETS

The current three-year agreement for the paving of subdivision streets expires March 31, 2021. Attached is an electronic copy of the new three-year agreement to be entered into with the Minister of Transportation and Infrastructure Renewal in order to continue this program.

The document will cover the terms of the agreement but will not list any specific subdivision roads that are to be paved. For each of the three years covered by the agreement, the Municipality will be asked to submit a prioritized list of roads for the next fiscal year. The Minister will return a letter advising of the approved roads for that fiscal year. Once the Municipality agrees to the approved list, it will become part of the agreement.

Please complete and affix Municipal Seal on the Resolution of Council authorizing the Warden and a designate to sign the agreement, then have the Warden and the designate sign the agreement, have witnessed, and affix the Municipal Seal. Please return all documents to me on or before August 15, 2020.

The Department requests that the Municipality return the attached agreement, whether or not you currently intend to submit subdivision roads for the program. Signing the outline agreement in no way commits the Municipality to the cost-sharing of the paving of any subdivision roads, unless an approved list is accepted in any fiscal year of the agreement. However, not having a signed agreement on file will prevent the Municipality from requesting any subdivision paving under this program for the next three fiscal years.

Yours truly,

Laura Cunningham
Capital Program Administration Officer



**Transportation and
Infrastructure Renewal
Province of Nova Scotia**

COST SHARE AGREEMENT NO. 2020-015

THIS AGREEMENT made this _____ day of _____, 2020.

BETWEEN:

HER MAJESTY THE QUEEN in Right of the Province of Nova Scotia, represented in this behalf by the Minister of Transportation and Infrastructure Renewal for the Province of Nova Scotia (hereinafter called the "**Province**"),

OF THE ONE PART

- and -

MUNICIPALITY OF THE DISTRICT OF LUNENBURG a body corporate under the laws of the Province of Nova Scotia (hereinafter called the "**Municipality**").

OF THE OTHER PART

WHEREAS the Province is of the opinion that certain Village and Subdivision Streets, under the jurisdiction of the Province, and located within the Municipality, are necessary and in the public interest;

AND WHEREAS by Memorandum to the Cabinet Number MH1104 dated May 12, 1988 the Executive Council approved a cost sharing paving program on these Village and Subdivision Streets;

AND WHEREAS the April 1996 Provincial-Municipal Service Exchange Agreement specified cost-sharing on Village and Subdivision Streets is set at a uniform 50-50% basis.

NOW THIS AGREEMENT WITNESSETH that in consideration of the covenants, promises and agreements herein contained to be by them observed, performed and paid, the parties mutually agree as follows:

1. INTERPRETATION

1.1 In this Agreement, unless something in the subject matter or context is inconsistent therewith, the following terms shall have the meanings set forth below:

- (a) “**Agreement**” means this Agreement.
- (b) “**Business Day**” means any day other than a Saturday, Sunday or a statutory holiday in the Province of Nova Scotia.
- (c) “**Fiscal Year**” means the 12-month period beginning on April 1 and ending on March 31.
- (d) “**Paving**” means the work of grading, gravelling, culvert work and required upgrading of Village and Subdivision Street to meet paving standard specifications. “Paving” also means the paving, repaving, or double chip sealing of the Village and Subdivision Streets. “Paving” shall also include pre-engineering, and/or design costs on site engineering supervision and inspection and incidental costs from the edge of the roadway to the limit of the right of way. The work DOES NOT INCLUDE feasibility studies, the construction, reconstruction, relocation, repairs or adjustments of sidewalks, water lines, fire hydrants, sanitary sewers, sanitary sewer manholes, catch basins, water valves, utility poles, street lighting or similar work.
- (e) “**Village and Subdivision Street**” means the village and subdivision streets constructed prior to April 1, 1995 under the administration and control of the Province.

1.2 In this Agreement, unless something in the subject matter or context is inconsistent therewith, words importing the singular number shall include the plural and *vice versa*; words importing a gender shall include the masculine, feminine and neutral genders; and words importing persons shall include individuals, partnerships, companies, associations, trusts, government agencies and any other form of organization or entity whatsoever.

1.3 This Agreement shall be governed by and construed in accordance with the laws of the Province of Nova Scotia.

1.4 This Agreement, constitutes the entire Agreement between the parties hereto with regard to the subject matter hereof and supersedes all prior agreements, understandings, representations or warranties, negotiations and discussions, whether oral or written, among the parties hereto with respect thereto, entered into prior to the date hereof, which are hereby terminated.

1.5 No amendment of this Agreement shall be binding unless in writing and signed by all the parties hereto.

1.6 No waiver by any party hereto of any breach of any of the provisions of this Agreement shall take effect or be binding upon such party unless in writing and signed by such party. Unless otherwise provided therein, such waiver shall not limit or affect the rights of such party with respect to any other breach.

1.7 Time shall be of the essence of this Agreement.

2. TERM OF AGREEMENT

2.1 This Agreement shall be effective for each of the following Fiscal Years:

(a) 2021-22

(b) 2022-23

(c) 2023-24

3. DESIGNATION AND ACCEPTANCE OF STREETS

3.1 If the Municipality chooses to participate in the program and uses a petitioning process to determine which Village and Subdivision Streets will be cost shared under this Agreement, the petition must be completed prior to submitting the road list, as per the timelines noted in 3.2. If the Municipality requires a high-level estimate (i.e. dollar per kilometre (\$/KM)), the Municipality may request from the Province such an estimate to complete the petitioning process. Only roads that have a successful petition are to be submitted to the Province.

3.2 On or before October 31 prior to the start of each Fiscal Year to which this Agreement applies, the Municipality shall provide to the Province a notice stating if it intends to participate in the Paving program for the Fiscal Year in question, and if so, which streets it wishes to be considered for Paving.

3.3 If the Province receives a notice under section 3.1 or 3.2 that the Municipality wishes to participate in the Paving program for a Fiscal Year, the Province shall review the request and notify the Municipality of the streets the Province accepts for Paving and the anticipated cost of such Paving ("**Cost Estimate**").

3.4 Within 20 Business Days from the time of receipt of the Cost Estimate to the Municipality, the Municipality shall notify the Province whether it accepts the list of approved streets and the related Cost Estimate via the Notice of Acceptance document.

3.5 If the Municipality does not provide a notice to the Province under sections 3.1 or 3.2 by the specified times, it shall be deemed to be notification that the Municipality does not wish to participate in the Paving program for the Fiscal Year in question.

3.6 The parties acknowledge that the extent to which the Province can accept streets for the program in any Fiscal Year is contingent upon the amount of funding the Paving program receives for the Fiscal Year and the number of Municipalities that wish to participate in the Paving program.

4. ADDITIONAL WORK

4.1 If an approved street for the Paving program requires that the Province adjust manholes, catch basins or water valves, the Province shall make these adjustments as part of the Municipalities request for Paving (“**Additional Work**”). Additional Work will be undertaken at the cost of the Municipality for which it agrees to make payment to the Province. The Municipality will be invoiced by the Province at the standard unit price for the required Additional Work.

5. MUNICIPALITY’S OBLIGATIONS

5.1 The Municipality shall be responsible for acquiring, at its sole expense, all additional land required for Paving and Additional Work, including any necessary licenses or leases.

5.2 The Municipality agrees to indemnify and save harmless the Province and its officers, employees and agents from all liabilities, fines, suits, claims, demands and actions, of any kind and nature for which the Province or its officers, employees or agents shall or may become liable or suffer by reason of any breach, violation or non-performance by the Municipality of any covenant, term or provision hereof or by reason of any death or injury of any person or any damage or destruction of any property resulting from any act, neglect or default on the part of the Municipality or any of its servants, employees, agents, invitees or licensees whatsoever.

5.3 The Municipality must notify to the Province of their acceptance of cost overruns within 30 Business Days of receipt of the Cost Overruns from the Province.

6. PROVINCE’S OBLIGATIONS

6.1 Where the Municipality has accepted the list of approved streets under section 3.5 and the related Cost Estimate under section 3.4, the Province shall be responsible for tendering the Paving and any Additional Work and for all construction oversight and management of the Paving and any Additional Work.

6.2 The Province shall notify the Municipality in writing of any cost overruns in excess of ten (10%) percent of the Cost Estimate (the “**Cost Overrun**”) within 10 Business Days of becoming aware of such Cost Overruns. The Municipality shall notify the Province at its earliest convenience if they wish to proceed with the work based on the new Cost Estimate.

6.3 The Province shall provide the Municipality with statements of account for Paving and any Additional Work upon completion of the contract (the “**Statement of Accounts**”).

7. CONTRIBUTION AND PAYMENT

7.1 The Municipality shall pay to the Province, within 60 days of submission of accounts by the Province to the Municipality:

- (a) fifty percent (50%) of the total amount of the statement of account for Paving; and
- (b) one hundred percent (100%) of the amount of the statement of account for Additional Work.

8. NOTICES

8.1 All notice, demand or other communication to be given in connection with this Agreement shall be in writing and shall be given by personal delivery, registered mail or by electronic means of communication addressed to the recipient as follows:

- (a) to the Municipality at
Mr. Kevin Malloy
Chief Administrative Officer
Municipality of the District of Lunenburg
210 Aberdeen Road
Bridgewater, NS B4V 4G8
Tel (902) 543-8181
Fax (902) 543-7123

- (b) to the Province at
Laura Cunningham
Capital Program Administration Officer
Johnston Building, 1672 Granville St.
P.O. Box 186
Halifax, NS B3J 2N2
Tel (902) 424-0897
Fax (902) 424-0571
laura.cunningham@novascotia.ca

- (c) or, to such other address, individual or electronic communication number as may be designated by notice given by either party to the other in accordance herewith. Any demand, notice or other communication given by personal delivery shall be conclusively deemed to be given on the day of actual delivery thereof and, if given by registered mail, on the fifth business day following the deposit thereof in the mail and if given by electronic communication, on the day of transmittal thereof if given during normal business hours of the recipient and on the business day during which such normal business hours next occur if not given during such hours on any day. If the party giving any demand, notice or other communication knows or ought reasonable to know of any difficulties with the postal system which might affect the delivery of mail, any such demand, notice or communication shall not be mailed but shall be given by personal delivery or by electronic communication.

IN WITNESS WHEREOF the Province has hereunto subscribed its hand and affixed its seal and the Municipality has set and affixed its corporate seal authenticated by the signatures of the Mayor and the witness hereunto duly authorized.

SIGNED, SEALED and DELIVERED in
The presence of:

Her Majesty the Queen, in Right of the
Province of Nova Scotia as represented
by the Minister of Transportation and
Infrastructure Renewal

Witness

Lloyd P. Hines, Minister
Department of Transportation & Infrastructure
Renewal

Municipality of the District of Lunenburg

Witness

Carolyn Bolivar-Getson, Mayor

Witness

Resolution of Council Designate



Municipal Seal



TIR Seal

Resolution of Council

Cost Share Agreement No. 2020-015

The following Resolution was passed at a meeting of the Council of the Municipality of the District of Lunenburg on the _____ day of _____ A.D., 2020.

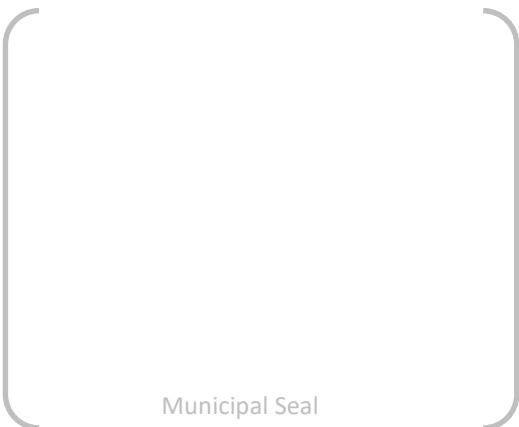
Moved by: _____

Seconded by: _____

“That the Mayor and _____ be authorized to sign Cost Share Agreement No. 2020-015”

Motion Carried.

I certify that the above Resolution was passed at the duly called meeting of the Municipality of the District of Lunenburg Council on _____ A.D., 2020.



Signature

Name (Print)

Title