

September 3, 2019

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building on Tuesday, September 3, 2019 at 7:00 p.m.

PRESENT

Dist.	1	Clr. Don Butler
	2	Clr. Deborah Wadden
	3	Clr. Darla MacKeil
	4	Clr. Ronald Baillie (arrived 7:12 p.m.)
	5	Deputy Warden Murray
	6	Warden Robert Parker
	7	Clr. David Parker
	8	Clr. Larry Turner
	9	Clr. Peter Boyles
	11	Clr. Andy Thompson
	12	Clr. Chester Dewar

ABSENT

	10	Clr. Randy Palmer (Out of Province)
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IN ATTENDANCE

Donn Fraser, Solicitor, MacIntosh, MacDonnell & MacDonald
Karen Cornish, Deputy Municipal Treasurer
Carolyn MacIntosh, Deputy Municipal Clerk
Sueann Musick, Communications Officer
Anne MacCarthy, By-Law Enforcement/Dog Control Officer
Jane Johnson, Recording Secretary

BY APPOINTMENT

Pictou County Regional Enterprise Network:
Sarah MacIntosh Wiseman, CEO
Thivjan "Div" Tharmaratnam, Business Outreach & Innovation

CALL TO ORDER

Warden R. Parker called the meeting to order and requested that Councillors stand and take a moment in silence to pray or simply reflect, as may be their preference, to help Council focus and properly do the work of the Municipality.

AGENDA

It was moved by Clr. Boyles and seconded by Clr. Turner that the agenda be approved as circulated.

Motion carried.

MINUTES

It was moved by Clr. D. Parker and seconded by Clr. Butler that the minutes of August 6, 2019 be approved as circulated.

Motion carried.

CORRESPONDENCE

Correspondence was received and acknowledged from the following:

- (a) Thank-You Letters/Notes (uncirculated) for financial assistance have been received from Pictou County Multicultural Association (Fusion Festival), Autism Pictou County, Remembering Canada's Heroes, & the Joe Earle Memorial Road Races.

COMMUNITY ANNOUNCEMENTS

District 1 Saturday, September 7th Merigomish & Barney's River Fire Departments Community Day

Warden R. Parker informed Council that he will be participating in the Terry Fox Run on September 15th in Pictou and will be accepting pledges after the meeting this evening for the run.

Clr. D. Parker reported the Pictou North Colchester Exhibition will run from September 4th to September 8th and Wednesday is 4-H Day.

DANG. & UNSIGHTLY PREMISES HEARING – RESUMPTION OF TRI MAC INVESTMENTS LTD. (7:12 P.M.)

At 7:12 p.m. Warden R. Parker reconvened a hearing with respect to a dangerous and unsightly premises assessed to Tri Mac Investments Ltd., 507 Thorburn Rd., Thorburn, N.S. (AAN #00625426.). The initial hearing took place on July 3, 2018 and was postponed for 30 days to allow the property owner to attend. The hearing resumed on August 7, 2018 and again on June 10, 2019 and adjourned until this evening to allow the property owner to carry out improvements. The applicant was not present in the Chambers this evening.

The By-Law Officer reported that Mr. MacDonald had been in a serious motor vehicle accident and had seriously injured his hand and forearm. He has worked with her throughout the process and did all the recommended clean-up issues and secured buildings. Photographs showing the current condition of the property as of today's date were viewed by Council members and everything that was to be barricaded was done as requested. For comparative purposes photographs were also shown from June that shows the changes made since that time.

Warden R. Parker asked the By-Law Officer if she considered the property dangerous and unsightly and she replied that, in comparison to a lot of properties, she no longer considered it dangerous and/or unsightly.

Clr. Turner referred to an email from Clr. Palmer who was unable to be here this evening but recommended that since the owner has made significant improvements to the exterior of the building over the last several months, Council should allow him to continue with that process and not proceed with a demolition order. Clr. Turner suggested that Council accept the advice of Clr. Palmer.

Clr. Thompson pointed out that he had spoken with Clr. Palmer who informed him that the owner was still working on the property.

MOTION

It was moved by Clr. Thompson and seconded by Clr. MacKeil that monitoring the cleanup of the property at 507 Thorburn Road be left with the By-Law Officer.

Motion carried.

REN UP-DATE – SARAH MACINTOSH WISEMAN, CEO

Sarah MacIntosh Wiseman, Chief Executive Officer with the Pictou County Regional Enterprise Network, made a brief presentation to Council as follows:



Pictou County Regional Enterprise Network

Municipality of the County of Pictou
September 3, 2019

Overview

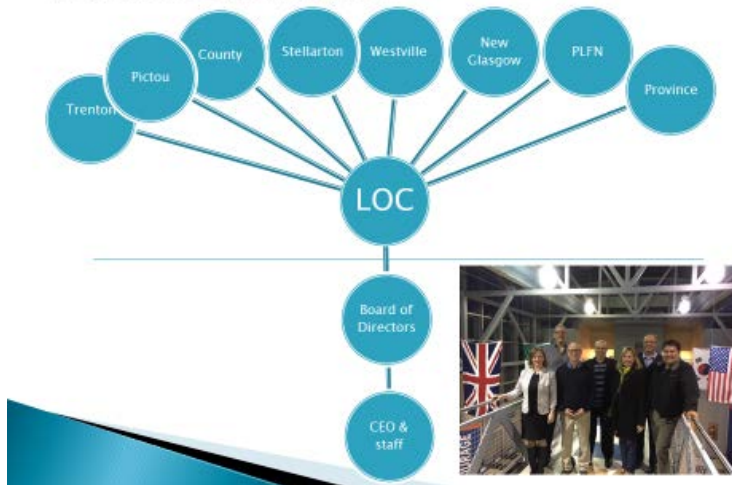
- ▶ Who am I?
- ▶ Who/what is the PCREN?
- ▶ Vision of Economic Development in Pictou County
- ▶ First activities
- ▶ Next Steps

Who am I?

- Partner at **Mac, Mac & Mac**
 - Labour & employment (local and provincial)
 - Board governance
 - Education & non-profit
 - Senior & long term care
- Director, 211 Information & Referral Services Association of NS
- Pictou County resident, wife & mom of 2
- *"No one of us is greater than all of us."*



PCREN Structure



Vision of Economic Development

"Working for a sustainable and thriving Pictou County"



- 1. Inter-Provincial Migration
- 2. International Immigration
- 3. Retention of International Students
- 4. New Business Start-ups
- 5. Value of Exports
- 6. Firms Participating in Export Trade
- 7. Labour Force Participation
- 8. Employment Rates: First Nations & African Nova Scotians
- 9. Youth Employment
- 10. Post-secondary Education & Training
- 11. PSE R&D
- 12. R&D Partnerships
- 13. Venture Capital

ONE NS DASHBOARD

A dashboard of objective, reliable data on our collective progress toward the ONE NS goals. [Learn More](#)

The Ivory Commission proposed 19 "stretch" or visionary goals to encourage Nova Scotians to aim for profound change. To signify how we're doing, we've designated each goal: [progressing/not progressing](#) and [on track/not on track](#).

● BASELINE (2012-13) ● CURRENT ● TARGET (2024)

GOAL 1 Inter-Provincial Migration

Nova Scotia will be averaging a net gain of 1,000 working age persons per year.

STATUS: **PROGRESSING** STORIES: 3

GOAL 2 International Immigration

With the cooperation of the federal government, Nova



- 1. Inter-Provincial Migration
- 2. International Immigration
- 3. Retention of International Students
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Local Labour Market Shortages



First Activities – New Hires



Thivjan "Div"
Tharmaratnam

- ▶ Previously with Futurepreneur, Ottawa
- ▶ Labour Market Consultant
- ▶ Manager of Youth Employment Programs
- ▶ Entrepreneurship Coordinator
- ▶ Community Leadership Award

- ▶ Start date: May 20th
- ▶ Role:
- ▶ Business Outreach & Innovation

First Activities – New Hires

- ▶ Regional Manager, Connector Program
- ▶ Shared role with Truro Colchester and Cumberland RENs
- ▶ Fully funded grant position



Matthew Berrigan

First Activities

- ▶ Initial focus on funding applications
 - Learning the landscape of what's available
 - Some for PCREN, some for third party organizations and businesses
- ▶ Office setup
 - Computers to cleaners
 - Frugal approach to setup
 - 112 Provost Street, Suite C, New Glasgow
 - Looking for "friendly worksite" in each municipal unit, starting Fall 2019
- ▶ Governance structure
 - Only multi-year REN in Province
 - Finalizing structure with benefit of lessons learned

Operating without a strategic plan or "road map" right now

First Activities

- ▶ **Unplanned business outreach & projects**
- ▶ **Local business stories** support taking a **grassroots approach**
 - Need for **help** – whether in **labour market shortages**; funding applications; guidance; storefront options
 - **Restaurant/hospitality sector** – closing doors
 - **Long term care sector** – succession planning concerns
 - **Manufacturing sector** – work turned away
 - **Professional services sector** – having to hire in Halifax
 - **Small businesses** – no time to find support

First activities

Meetings held

- ▶ Dept. Municipal Affairs
- ▶ All REN CEOs – 2 day conference
- ▶ Chamber of Commerce – Jack Kyte
- ▶ Career Connections
- ▶ Healthy Pictou County – Nicole Leblanc
- ▶ YMCA (PC and Halifax)
- ▶ NSCC – Innovation Team
- ▶ NSCC – Innovation Fund Director
- ▶ ACOA – local and provincial
- ▶ YReach – YMCA of Halifax
- ▶ NSOI
- ▶ ISANS
- ▶ NSBI
- ▶ NOBL
- ▶ Ignite Labs – Innovation Hub
- ▶ IRCC – Federal & Atlantic
- ▶ Local MLAs
- ▶ PS to the Minister for International Trade Diversification
- ▶ SIFX – Coady Instituted & Centre for Employment Innovation
- ▶ Dept. Labour & Advanced Education
- ▶ CHAD Transit
- ▶ Nova Scotia Works
- ▶ Private employers
- ▶ Non-profit sector leaders
- ▶ Directions Council of Nova Scotia

Planned Next Steps

- ▶ **Stakeholder introductions** (August)
- ▶ **Finalize Governance Documents & training** (Sept.)
- ▶ **Strategic Planning** (Sept./Oct.)– road map to activities
- ▶ **Final budget approval** (Sept./Oct.)
- ▶ **Business Plan development and implementation**
 - ▶ Chamber of Commerce dinner – October 17th
 - ▶ AGM – late October 2019

Next Steps

PCREN – LOC Communications strategy

- ▶ LOC meeting updates
- ▶ CEO updates to Board – copied to LOC
- ▶ Newsletter concept
- ▶ Attendance at Council/COW meetings on occasion or as requested
- ▶ Keep the REN informed about key activities



PCREN requests of the County:

- ▶ Identify location for “friendly worksite”
- ▶ Keep the PCREN informed of activities/projects we should promote, attend or be aware of
- ▶ Identify sector issues, key employers for priority attention
- ▶ Through the LOC – ask questions, stay informed, give feedback



Contact:

- ▶ Sarah MacIntosh–Wiseman
- ▶ 112 Provost St., Suite C
- ▶ New Glasgow, NS B2H 2P4

- ▶ Mobile: (782)440–2255

- ▶ Email:
 - sarah.wiseman@pcren.ca
 - Thivjan@pcren.ca

Warden R. Parker pointed out that is important that we not forget about our primary industries of agriculture, forestry and fisheries. It is very important to the Economic Development Working Group that it did not matter where the jobs were just, that we need the jobs in the County.

Clr. Butler asked the biggest challenge for the REN at this point and Ms. MacIntosh Wiseman responded that we have to do communication really well, as well as receiving information and suggestions.

Clr. Boyles asked if keeping people in the workforce longer will be something the REN will be looking at and Ms. MacIntosh Wiseman confirmed that the subject will be addressed. The REN has to find out what the problems are first and why there are shortages in the different job markets.

Warden R. Parker thanked Ms. MacIntosh Wiseman for the presentation and excused her from the balance of the meeting. (7:45 p.m.)

FINANCIAL SERVICES COMMITTEE REPORT

Clr. D. Parker presented the report of the Financial Services Committee as follows:

FINANCIAL SERVICES COMMITTEE REPORT

For information purposes the Financial Services Committee submits the following report on the activities of the Committee for the month of August:

1. Reviewed the reports of the Recreation Coordinator and Communications Officer for the month of July.
2. Approved the installation of 5 conventional streetlights in District 2 on the Quarry Island Road and 1 conventional streetlight on the Woodburn Road. The Committee also approved the conversion of a fixture on the Quarry Island Road to an LED unit as this was missed during the capital project.
3. Requested additional information from staff on the impact to the Municipality resulting from potential changes to the Landfill Voucher Program Policy.
4. Considered several applications for financial assistance. (Resolution to follow)
5. Reviewed the list of Accounts Paid for the month of July.

DATED at Pictou, N.S. this 3rd day of September, 2019.

(Sgd.) David Parker
Darla MacKeil

MOTION

It was moved by Clr. D. Parker and seconded by Clr. MacKeil that the preceding report be adopted as presented.

Motion carried.

PROPERTY SERVICES COMMITTEE REPORT

Clr. Thompson presented the report of the Property Services Committee as follows:

PROPERTY SERVICES COMMITTEE REPORT

For information purposes the Property Services Committee submits the following report on the activities of the Committee for the month of August:

1. Reviewed the reports of the Building Inspector, By-Law Enforcement Officer and Warden for the month of July.

2. Received a status report on the McLellan's Brook Waterline Replacement. Reinstatement issues are outstanding with the contractor and staff are working on replacing individual water meters which is expected to be complete by the end of September.
3. Received a report from the Director of Public Works & Development that tenders for the River John Sidewalk Project would be called shortly.
4. Tabled a discussion on the operation of a sewer pump at on the MacNaughton Rd., Lyon's Brook for further information from the property owner
5. Requested a legal opinion on liability issues around the enforcement of the Swimming Pool By-Law.
6. Discussed ways to maintain focus on improvements to the Trenton Connector/Granton-Abercrombie Rd. intersection. It is expected that this area will be included in a discussion with the Area Manager for TIR in the near future.
7. Reviewed a summary of measures taken by Nova Scotia municipalities with respect to climate change.
8. Agreed to recommend changes to the Sewer Connection By-Law to clarify that municipal sewer services will not be provided to recreational vehicles or travel trailers. (Notice of Motion to follow)
9. Deferred discussion on a request for road paving until such time as more information is available from the developer.
10. Agreed to resubmit MacKenzie Road, Fourth Street and Harbour View Drive for consideration under the provincial local and subdivision cost-shared paving program in 2020/21.

DATED at Pictou, NS this 3rd day of September, 2019.

(Sgd.) Andy Thompson
Chester Dewar

MOTION

It was moved by Clr. Thompson and seconded by Clr. Dewar that the preceding report be adopted as presented.

Motion carried.

RESOLUTION – MUNICIPAL GRANTS

Clr. Thompson presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the payment of the following Municipal Grants:

Recreation:

Bridgeville Community Club	\$ 150.00	Accessible Ramp Installation
	\$ 150.00	

Municipal Services:

D06	West Riv. Presby. Church	\$ 1,200.00	Siding, Signs & Gravel @ Log Church
D06	Watervale & Area Rec. Ctr.	1,777.45	Ceiling Repairs & Refrigerator
D06	Salem Athletic Assoc.	<u>1,000.00</u>	Bldg./Equip't. Removal & Gravel
		\$ 3,977.45	
D07	Watervale & Area Rec. Ctr.	<u>\$ 2,202.96</u>	Mechanical & Furnace Room Upgrades, Paint, Countertop
		\$ 2,202.96	
D11	Sunny Brae Cemetery Co.	\$ 400.00	Maintenance Expenses
D11	MacDonald Rebekah Lodge #108	500.00	Construction Plan Design
D11	Garden of Eden Cemetery	<u>400.00</u>	Operating & Mtnce. Expenses
		\$ 1,300.00	
	GRAND TOTAL	<u>\$ 7,630.41</u>	

DATED at Pictou, N.S. this 3rd day of September, 2019.

(Sgd.) Andy Thompson
Chester Dewar

MOTION

It was moved by Clr. Thompson and seconded by Clr. Dewar that the preceding resolution be adopted as presented.

Motion carried.

RESOLUTION – NATIONAL FORESTRY TASKFORCE

Clr. D. Parker presented a resolution to Council as follows:

RESOLUTION
NATIONAL TASKFORCE ON THE FUTURE OF FORESTRY

WHEREAS Canada's forestry industry is vital to our economy; hundreds of thousands of workers and more than 650 communities depend on good forestry jobs; and

WHEREAS forestry faces several critical challenges including, the growing impact of softwood lumber tariffs; ongoing crises from insect damage; lingering effects of unfair duties on paper exports and ongoing trade uncertainty; unchecked raw log exports; the impact of species at risk measures; and several other policies that negatively impact key forestry operations and sustainable harvest levels; and

WHEREAS forestry can have a bright future with new innovative products; the development of biopathways and nano-cellulose technologies; transformative innovations in building materials and green construction, and a sustained transition toward higher-value growth products and markets; and

WHEREAS all stakeholders, including municipalities, must speak out in defense of Canada's forestry industry – the nation's third largest export sector – as well as forest-dependent communities and affected workers in the face of looming challenges.

THEREFORE, BE IT RESOLVED that the Council for the Municipality of the County of Pictou calls on the federal and provincial governments to take immediate action, including compensation and transition measures for affected communities, to address the challenges that threaten the forestry sector; and

BE IT FURTHER RESOLVED that the Municipal Council calls on the federal government, in consultation with provincial forestry Ministers, to establish a National Taskforce on the Future of Forestry with a clear mandate, resources and reporting requirements; and

BE IT RESOLVED that the Municipal Council support efforts of forestry stakeholders to ensure a strong future for forestry – a vital industry and source of good jobs in our community.

DATED at Pictou, NS, this 3rd day of September 2019.

(Sgd.) David K. Parker
Andy Thompson

MOTION

It was moved by Clr. D. Parker and seconded by Clr. Thompson that the preceding resolution be adopted as presented with copies sent to the Premier and MP Sean Fraser.

Clr. D. Parker informed Council that the resolution he just read was a generic resolution produced by UNIFOR who represents the mill workers in the County. We have discussed and debated the issue at hand here in this County at some length with much heat and little light and not much in the way of solutions. He strongly believes the mill workers, truck drivers and woodlot owners do not wish harm to the fishermen and he believes the majority of fishermen do not wish harm to the loggers. We need both those industries and in many ways we all are environmentalists and are concerned about our environment. We want a safe environment but we also want safe jobs and he believes we can have both. We need to send a strong message to our senior members of government, particularly Premier MacNeil and our MP Sean Fraser. We have to work to find solutions and it is very easy to be critical but it takes courage and respect and radical honesty to listen to all sides. It takes effort and good will to work toward a solution and those are the things we need here, not more division. We must not be seduced by radical impractical idealism and our entire forest cannot be a park. We have to make sure the direction our province goes is not hijacked by radical environmentalists. There is a boatload of side issues here that we could easily get distracted on but if we are going to work toward solutions and the timelines are short, then we need to avoid those distractions. There was a study done a month ago with 2,700 direct jobs in Nova Scotia that depend upon the local pulp mill continuing to operate. There are thousands of more indirect jobs and if that mill goes down there will be a brutal impact on this County and this province. Most people in attendance this evening are working at skilled jobs and make a family-supporting wage. In many cases they have invested hundreds of thousands of dollars in equipment to harvest our forest and move our products to the mill. Some of the people here this evening are going to receive a lay-off notice 30 days from today, October 3rd. There is not a lot of time left so we need to strongly send a message to Premier MacNeil because he did create some of the circumstances that lead to this situation. We need and we want a forest industry and we should be voting tonight on whether we support having a forest industry.

Clr. Thompson reported that we are all in this together and we need a solution that will work for everyone. We have a company that has been here a short time relative to the mill ownership and what he hears from mill workers is that they are spending money and fixing problems that were never addressed at the mill. We have to figure out a way to make this work.

Deputy Warden Murray asked if this resolution is asking for an extension on the deadline to close the Boat Harbour treatment facility and Clr. D. Parker replied that he did not make any mention of that issue at all and that was on purpose. Clr. D. Parker reported that there was no mention of the actual division that exists in our County. He is trying to send a message to the Premier to pull the sides together and start working toward solutions.

Clr. Baillie pointed out this resolution is country-wide and not just local but to form a National Task Force is a great idea but, in his opinion, it was too little and too late.

Clr. Turner asked for more information on the issue of compensation and transition measure for affected communities.

Clr. D. Parker replied that he could not speak to that issue because he did not write the resolution. He commented that there were significant challenges to the forest industry including tariffs imposed and job losses in sawmills, particularly in British Columbia. As mills close there needs to be a national program to transition those employees to other opportunities and we may have some here in this County.

Clr. MacKeil referred to the resolution which refers to several other policies that negatively impact key forestry operations and asked what those policies might be.

Clr. D. Parker replied in that New Brunswick as protected areas are expanded that removes productive land from production and downsizes your species at risk. He pointed out that we have to be working to find ways that we can protect small woodlot owners who can do as they wish with their lands that is also important.

Clr. MacKeil asked if other municipalities have adopted this resolution and Clr. D. Parker replied that he did not know.

Clr. MacKeil referred to the literature Council received with regard to ongoing actions and pointed out that there was no mention of sustainability in the resolution where there was in the literature.

Clr. D. Parker replied that the word "sustainable" is used differently by the 2 sides of the issue.

Warden R. Parker reported that Council can make resolutions but we cannot make any decisions. We need both the forestry and fishery industries and we cannot allow them to be pitted against each other to the point of "either or". This County will not survive the way we want it to survive if we get to an either or situation. By passing this resolution we are saying that this is a valuable industry that we need to keep going one way or the other. Members of Council met with the Premier earlier in the year and he made it very clear that we come up with a solution and bring it to him. This Council is not on one side or the other but some Councillors have forestry workers they represent and some Councillors have fishermen they represent.

Motion carried.

NOTICE OF MOTION (1ST READING)

NOTICE OF MOTION (1ST Reading)

TAKE NOTICE that the following resolution will be presented to Council for consideration on Monday, October 7, 2019.

DATED at Pictou, NS this 3rd day of September, 2019.

Clr. Darla MacKeil, Vice-Chair
Financial Services Committee

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the following by-law with respect to sewer connections:



MUNICIPALITY OF THE COUNTY OF PICTOU SEWER CONNECTION BY-LAW

1. This By-Law may be cited as the "Sewer Connection By-Law".

DEFINITIONS

2. In this By-Law, unless the context otherwise requires, the expression:
- (a) "building" means any dwelling, mobile home, house, shop, store, office or any building which would require sewerage services;
 - (b) "combined sewer" means a sewer that is intended to conduct wastewater and stormwater;
 - (c) "council" means the Municipal Council of the Municipality of the County of Pictou;
 - (d) "dwelling" means a building, occupied or capable of being occupied as a home. Residence or sleeping place by one or more persons and shall not include a hotel, motel, apartment hotel, nor any building, part of a building or group of buildings or place of accommodation that provides one or more rental units used mainly for the reception of the travelling or vacationing public, nor any recreation vehicle or travel trailer.
 - (e) "engineer" means the Engineer for the Municipality of the County of Pictou, and includes the Director of Public Works whether or not he is a professional engineer, and any consultant engineer engaged by the Municipality;
 - (f) "mobile home" means any vehicle or similar portable structure and extension thereof, having no integral foundation other than wheels, jacks, or skirtings, so designed or constructed as to permit occupancy for year-round dwelling purposes, and having a flush toilet and a bath or shower;
 - (g) "mobile home park" means any plot of ground upon which two or more mobile homes, occupied for dwelling or sleeping purposes, are located for a period exceeding three weeks, except for tourist purposes;
 - (h) "municipality" means the Municipality of the County of Pictou or the area contained within its municipal boundaries, as the context requires;
 - (i) "municipal sewer right-of-way" means the outer boundaries of any right-of-way within which a municipal sewer is located, or, if the municipal sewer is located within the right-of-way or deemed or presumed width of any provincial, municipal or private highway, road, lane or street, it means the outer boundaries of the right-of-way or of the deemed or presumed width of any such provincial, municipal or private highway, road, lane or street;
 - (j) "owner" includes a part owner, joint owner, tenant in common or joint tenant of the whole or any part of any land or building and includes a trustee, an executor, and administrator, a guardian, an agent, a mortgagee in possession or any other persons having the care or control of any land or building in case of the absence or disability of the person having title thereto;
 - (k) "person" includes any individual, firm, company, association, society, corporation or group;
 - (l) "sanitary sewer" means a sewer for the collection and transmission of domestic, commercial and industrial wastewater or any of them, and to which uncontaminated or cooling water, storm, surface, and groundwater are not intentionally admitted;
 - (m) "sewer" means a pipe, conduit, drain, open channel, or ditch used for the collection and transmission of wastewater, stormwater, or uncontaminated process or cooling water;

- (n) "sewerage system" means all pipes, mains, equipment, buildings and structures for collecting, pumping or treatment of wastewater and operated by the municipality, but does not include a storm sewer;
 - (o) "storm sewer" means a sewer and all related structures designed exclusively for the collection and transmission of uncontaminated water, stormwater, drainage from land or from any watercourse or any of them;
 - (p) "wastewater" means any liquid waste containing animal, vegetable, mineral, or chemical matter in solution or suspension carried from any premises.
3.
 - (1) No person shall connect any private sewer or building sewer to a municipal sewer without first obtaining permission in writing therefore from the Engineer.
 - (2) No connection to a municipal sewer shall be made except under the supervision of the Engineer.
 - (3) No connection shall be covered until it has been inspected and approved by the Engineer.
 - (4) No connection of a recreation vehicle or travel trailer to a municipal sewer shall be permitted.
 - (5) No connection to a municipal sewer of a hotel, motel, apartment hotel or any building, part of a building or group of buildings or place of accommodation that provides one or more rental units used mainly for the reception of the travelling or vacationing public, shall be permitted unless the Engineer is satisfied that such connection will not adversely affect the sewer system and the Engineer may require the owner requesting the connection to provide such information, independent assessment(s) and/or reports as in the discretion of the Engineer is necessary to inform the Engineer's assessment and decision, at the owners cost.
 4. Every person connecting to a sewerage system shall construct the connection according to requirements of the Canadian Building and Plumbing Codes.
 5. No person shall connect any storm sewer to any sanitary sewer.
 6.
 - (1) The owner of a building, any part of which is within two hundred feet of any boundary of a municipal sewer right-of-way, or the owner of land containing a mobile home park for which the permit for its initial construction is, or should have been, issued after April 1, 1996, any part of which land is within two hundred feet of any boundary of a municipal sewer right-of-way, at the owners sole expense, shall construct a building sewer therefrom or a building sewer from each mobile home space, as the case may be, and connect the same to the municipal sewer; provided, however, that Council may exempt therefrom any such building or mobile home park as appears to it:
 - (a) to be adequately served with existing storm drainage and on-site sewage disposal system; and
 - (b) would not be adequately served by connection to the municipal sewerage system; or
 - (c) in the case of two or more buildings, none of which are single occupancy residential buildings, the owner or owners thereof have provided special alternative connection design proposals for the connection of two or more of the buildings to the municipal sewage system, and these proposals have received the approval of the engineer.
 - (2) The Council shall not require an owner to connect to a municipal sewer until service from said sewer has been available to the property for one year.
 7. (1) This section applies notwithstanding the provisions of Section 6(1) of this By-Law.

(2) In this section,

- (a) “building” means a single occupancy residential building which is connecting to a municipal sewer;
- (b) “equipment” means a pump, tank, and control system, or any of them, approved by the engineer, and sufficient in his sole opinion, to permit gravity sewer service or sewer service other than gravity sewer service where the municipality is providing such other sewer service, to the first storey of a building;
- (c) “first storey” means the uppermost storey having its floor level not more than two (2) metres above grade;
- (d) “grade” means the lowest of the average levels of finished ground elevation adjacent to each face of a building.

(3) Notwithstanding section 6(1) of this By-Law, where it is not possible to provide either gravity sewer service or a sewer service other than gravity sewer service where the Municipality is providing such other sewer service, to the first storey of a building, the Municipality shall provide the equipment to the owner of a building, at the Municipality’s sole cost, on the occasion only of the first connection of the building to the sewerage system.

(4) The owner of a building, provided with the equipment:

- (a) in addition to the costs referred to in section 6(1) of this By-Law, shall be solely responsible for the cost of installing, maintaining and replacing the equipment;
- (b) shall install the equipment in a manner satisfactory to the engineer, and the engineer shall have the right to enter upon the property on which the building is situate, and to direct the manner of the installation of the equipment and;
- (c) shall install the equipment in such a manner that it is in the opinion of the engineer, at all times readily accessible for inspection and service.

(5) Where the equipment has been installed on property or in a building under this section of the By-Law, the engineer, and any person authorized by the engineer shall have the right to enter upon the property, from time to time, and upon reasonable notice to the owner, for the purpose of inspecting the equipment.

8. (1) In this section;

- (a) “accessory building” means a subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use;
- (b) “accessory use” means a customarily subordinate and incidental to a main use of land or building and located on the same lot, which in the sole discretion of the Engineer, or the Engineer’s designate, would not overburden or otherwise adversely impact the sufficiency of existing lateral(s) of the sewerage system serving the lot;
- (c) “dwelling” means a building occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units, and shall not include a hotel, motel, apartment hotel or a travel trailer;

(2) Subject to all requirements of the Sewer Connection Bylaw, with the approval of the Engineer, or the Engineer's designate, the municipality will permit an owner of a dwelling to connect an accessory building to the sewerage system, through the same lateral servicing the dwelling.

(3) Subject to all other requirements of the Sewer Connection Bylaw and approval of the Engineer or the Engineer's designate, the connection of the accessory building to the sewerage system may be made by connecting the plumbing of the accessory building to the plumbing of the dwelling.

(4) A connection made to the sewerage system pursuant to this section shall not result in;

- (a) a capital charge as prescribed in Section 6 of this bylaw;
- (b) a sewer service charge as described in Section 9 of this bylaw;

(5) Notwithstanding subsection 4 of this section of the bylaw, the municipality will impose the capital charge as prescribed in Section 6 of this bylaw and a sewer service charge as prescribed in Section 9 of this bylaw if;

- (a) the accessory building is used to operate a home based business;
- (b) the accessory building is used for the purposes of a sleeping place by one or more persons; or
- (c) in the sole discretion of the Engineer, or the Engineer's designate, the use of the accessory building becomes such as to overburden or otherwise adversely impact the sufficiency of the existing lateral(s) of the sewerage system serving the lot on which the accessory building is located.

9. Where a building or mobile home park has been connected to the municipal sewerage system or the Council has ordered a building or mobile home park to be so connected, the Council may, by resolution, order the owners of outhouses and septic tanks or other sewage disposal treatment facilities to remove such outhouses and to destroy or fill such septic tanks, or other sewage disposal treatment facilities.

10. (1) This section 9 applies notwithstanding the provisions of section 6(1) of this by-law.

(2) In this section:

- (a) "approval date" is the date shown on an approval document as the date the on-site sewage disposal system was approved for initial operation;
- (b) "approval documents" means any one of the following documents:
 - (i) a dated occupancy permit from the Municipality for the building serviced by the on-site sewage disposal system;
 - (ii) a dated Final Inspection Report for the on-site sewage disposal system, approving it for initial operation, from the governing authority;
 - (iii) a dated Final Inspection Report for the on-site sewage disposal system, approving it for initial operation, from a Qualified Person I or II;
- (c) "exemption certificate" means a certificate issued under this section temporarily exempting an owner who must connect from the obligations of that owner under section 6(1) of this by-law;

- (d) "governing authority" means a government body or agency which inspects, regulates, supervises or controls the operation of on-site sewage disposal systems;
- (e) "municipal sewer project" means a sewerage system proposed to be constructed by or on behalf of the Municipality, and includes any addition or extension to any existing sewerage systems owned or partly owned by the Municipality, and any sewerage system constructed in co-operation with any other municipality or municipalities;
- (f) "on-site sewage disposal system" means an on-site sewage disposal system which services a building or mobile home park located on land in respect of which an exemption certificate is sought or obtained;
- (g) "owner who must connect" means an owner who has or will have obligations under section 6(1) of this by-law because of a municipal sewer project, and includes the transferee of an exemption certificate;
- (h) "PID" means the Property Identifier number.

(3) Where any municipal sewer project is proposed, the Municipality:

- (a) shall identify or cause to be identified all owners who must connect; and
- (b) shall advise each owner who must connect by prepaid regular mail sent to the last address of the owner known to the Municipality, that he may apply for an exemption certificate; and
- (c) shall advertise in a newspaper circulating in the area to be served by the municipal sewer project that owners who must connect may apply for an exemption certificate.

(4) If the size of a municipal sewer project changes after notice given under subsection (3) of this section:

- (a) where the size of a municipal sewer project changes so that it will service fewer potential connections, the Municipality shall identify or cause to be identified any owner who no longer has an obligation to connect to the smaller project and advise that owner that he no longer is an owner who must connect, whether or not that owner has applied for or has been granted an exemption certificate;
- (b) where the size of a municipal sewer project changes so that it will service more potential connections, the Municipality shall identify or cause to be identified any owner who now has an obligation to connect and shall advise each such owner, in the manner set out in subsection (3)(b) that he is an owner who must connect and that he may apply for an exemption certificate.

(5) The advertisement and notices to owners who must connect referred to in subsections (3) and (4) shall stipulate a date and time by which, and a place at which, applications for an exemption certificate must be made.

(6) Nothing in subsection (3) limits the Municipality to the kinds of notice required by subclauses (b) and (c) of that subsection.

(7) An owner who must connect may apply for an exemption certificate.

(8) The Municipality shall prescribe an application form and may prescribe other forms to be used in an application for an exemption certificate.

(9) An application for an exemption certificate shall be on the form prescribed by the Municipality shall contain:

- (a) the name, full mailing address and telephone number, and, if available, the e-mail address of the owner;
- (b) the PID of the property containing the on-site sewage system in respect of which the application is made;
- (c) evidence in the form of an approval document that the approval date was on or after January 1, 1999;
- (d) a statement under oath or affirmation from the owner that the approval date shown on the approval document is correct, that the on-site sewage disposal system is in good working order as of the date of the application, that the owner is not aware of any existing malfunction of the system and that there are no outstanding complaints from any source about its operation;
- (e) a written permission signed by the applicant owner in favor of the Municipality allowing it to make such inquiries as it sees fit concerning the application, and granting any holder of information on the on-site sewage disposal system permission to release to the Municipality any information so held.

(10) The Municipality is not obliged to consider an application for an exemption certificate, or to grant an exemption certificate in respect to any application, which

- (a) is not submitted on the Municipality's prescribed form; or
- (b) is late; or
- (c) is incomplete, false or misleading, in any material particular; or
- (d) where, for valid engineering reasons, the Engineer determines that it should not be granted.

(11) The Engineer shall decide on all applications for an exemption certificate, and his decision is final.

(12) No exemption certificate shall be issued unless the on-site sewage system has an approval date of January 1, 1999, or later.

(13) Where the Engineer is satisfied that an applicant's approval date occurred on or after January 1, 1999, and if the application is otherwise timely and complete, and if there are no valid engineering reasons indicating to the contrary, he shall issue an exemption certificate to the applicant owner.

(14) An exemption certificate is transferable to a subsequent owner or owners of the whole of the property on which the on-site sewage disposal system is located, but whether or not any formal transfer occurs, a subsequent owner stands exactly in the place and stead of the previous owner and in particular, but not so as to limit the generality of the foregoing:

- (a) is entitled to the benefits of a valid exemption certificate; and
- (b) incurs the obligations of an owner under section 6(1) of this when the exemption certificate ceases to be valid.

(15) An exemption certificate may be surrendered at any time.

(16) An exemption certificate, if granted, may be revoked by the Municipality:

- (a) where any false or misleading information on a material particular is provided in an application; or
- (b) where a governing authority advises the Municipality or the Municipality otherwise becomes aware that the on-site sewage disposal system in respect of which the exemption certificate was granted is no longer operating in compliance with then existing regulations and requirements, or
- (c) where the Engineer determines that there are valid engineering concerns for not continuing an exemption certificate.

(17) An exemption certificate is valid upon its date of issue, but ceases to be valid upon the occurrence of the first of any of the following events:

- (a) 15 years passes from the approval date as determined by the earliest date on any approval document submitted under subsection (9)(c) of this section;
- (b) it is revoked or surrendered; or
- (c) the owner to whom it is issued connects the property containing the on-site sewage disposal system to the municipal sewer system; or
- (d) the land on which the on-site sewage disposal system is located is subdivided.

(18) There is no requirement on the Municipality to perform any act for an exemption certificate to cease to be valid and there is no obligation on the Municipality to advise an owner who must connect or any subsequent owner who holds an exemption certificate that the owner's exemption certificate has ceased to be valid.

(19) An exemption certificate which ceases to be valid may not be renewed, reapplied for, or reinstated, and the owner to whom that exemption certificate was granted immediately is subject to the provisions of section 6(1) of this by-law, incurs all of its obligations and must forthwith comply with that section.

(20) The right to apply for an exemption certificate under this section is in addition to, and not in substitution for, the right of an owner under section 6(1) to request that Council grant an exemption under that section.

(21) The Municipality shall establish a list of owners granted exemption certificates, which shall include the approval date for each exemption certificate, and shall update any changes to that list and keep it current.

(22) Nothing done under this section or under this by-law obliges the Municipality to construct or partly construct any municipal sewer project.

- 11. Except as otherwise provided herein, any person who contravenes any section of this By-Law is liable on conviction to a penalty of not less than \$100.00 and not more than \$5,000.00 and in default of payment, to imprisonment for a term of not more than 90 days.
- 12. All costs associated with the installation, connection, maintenance or repair of a building sewer connection to the municipal sewerage system, whether in a street, highway or easement, including the costs of any necessary permits, are the sole responsibility of the owner.

13. The Sewer Connection By-Law adopted by Municipal Council on October 1, 2012 is hereby repealed, on and not before the date of the coming into force of this By-Law.

EMERGENCY RESOLUTIONS

There were no emergency resolutions.

REFERRALS TO COMMITTEES & NOTICES OF MOTION

Clr. MacKeil reported that she would like to have a further conversation at the Property Services Committee meeting regarding speed signs on rural roads. She receives complaints of speeding in her area and would like to have a discussion on that issue.

Clr. Wadden informed Council that tonight on the news there was a story on child poverty in Canada and it is at a serious level across the Country. Unfortunately Nova Scotia has the largest rate of child poverty in the Country and she would like have a further discussion on how bad it is in this area and what steps we can take to try and alleviate some of the problem.

Clr. Boyles asked that the New Scotland Business Park be put on an agenda for a future meeting for further discussion.

Clr. Dewar thanked Sueann Musick, Communications Officer for the story on the Fraser Blueberry Farm that is on the Municipality's website.

ADJOURN

It was moved by Clr. MacKeil and seconded by Clr. D. Parker that the meeting adjourn.
Motion carried. (8:20 p.m.)

Robert Parker
Warden

Brian Calendar
Municipal Clerk