

In March of 2020, in response to the Covid 19 Pandemic the Minister of Municipal Affairs and Housing declared that Municipal Councils will not meet in person but will instead hold virtual meetings. Under this order Council of the Municipality of the County of Cumberland held the April 15, 2020 Council Meeting via teleconference.

1. CALL TO ORDER

1.1 Call to Order

Warden Gillis called the April 15, 2020 Council session of the Municipality of the County of Cumberland to Order at 6:20 p.m. The meeting was held via teleconference.

1.2 Roll Call

Shelley Hoeg, call moderator called the roll with the following Councillors present: Councillor Paul Porter, Councillor Marlon Chase, Councillor Joe van Vulpen, Warden Al Gillis, Councillor Lynne Welton, Councillor Barbara Palmer, Councillor Dan Rector, Deputy Warden Ernie Gilbert, Councillor Mike McLellan, Councillor Don Fletcher, Councillor Doug Williams, Councillor Maryanne Jackson, and Councillor Norman Rafuse.

Staff present: Rennie Bugley, Chief Administrative Officer; Andrew MacDonald, Director of Finance; Stephen Ferguson, Director of Community Development; Justin Waugh-Cress, Director of Engineering and Operations; Shelley Hoeg Communications and Executive Assistant to the CAO; Eric Levy, Manager of Organizational Development and Innovation; and Brenda Moore, Municipal Clerk who recorded the meeting. Will Balsler, Junior Planner and Development Officer joined the meeting later

Media Present; Bill Martin, Six Rivers News

2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1 Approval of Agenda

The agenda was approved with the following additions:

- 6.5 CJSMA
- 6.6 Garbage Cans in Springhill
- 6.7 Glooscap Campground

2.2 (i) Approval of the minutes of the March 19, 2020 Email Poll

IT WAS MOVED by Councillor Jackson seconded by Councillor Palmer to approve the minutes of April 1, 2020 meeting with the following corrections to the March 19, 2020 Email Poll:

- | | | |
|------------|------------------------------------|------------|
| 3.1 | Councillor Maryanne Jackson | YES |
| | Councillor Lynne Welton | YES |
| 3.2 | Councillor Maryanne Jackson | YES |
| | Councillor Dan Rector | NO |
| | Councillor Paul Porter | NO |
| | Councillor Lynne Welton | NO |

**No Objections
MOTION CARRIED**

(i) Approval of the minutes of the April 1, 2020 Council Meeting

IT WAS MOVED by Deputy Warden Gilbert seconded by Councillor Welton to approve the minutes of the April 1, 2020 Council Meeting.

**No Objections
MOTION CARRIED**

2.3 Business Arising for the April 1, 2020 Council session.

Council was brought up to date on the Action List.

2.4 Presentations, Delegations, Petitions

Robert Cervelli, Centre for Local Prosperity was on hand to bring Council an update. Encouraged everyone to go the website for the Centre for Local Prosperity and click on the links to videos of the events in which they have been involved. They have been working on making the Climate Crisis and the Uncertain Future of Local Community event available through a virtual platform. Councillor Welton is very interested and would like to take part in these sessions. The Warden thanked Mr. Cervelli for his presentation and we look forward to the upcoming events.

3. STRATEGIC PRIORITIES ISSUES

There are no strategic priority issues for today's meeting.

4. MAJOR ORGANIZATIONAL ISSUES

There are no Major Organizational Issues for today's meeting.

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES

5.1 Parental Accommodations for Elected Officials Policy

IT WAS MOVED by Councillor Jackson seconded by Councillor Welton to give notice that Council will consider the Parental Accommodations Policy for adoption at the May 6, 2020 Council meeting with the following changes: in #5 #8 #10 and #11 change the word Mayor to Warden and in #16 change the word Kings to Cumberland.

Municipality of Cumberland Policy 20-XX

Parental Accommodation for Elected Officials Policy

Purpose

1. The Municipality of the County of Cumberland supports Council members taking leave for pregnancy, birth, or adoption, and is committed to supporting elected officials during that time. This Policy establishes the entitlements members of Council have relative to Parental Accommodations, work in a family-supportive environment, and a permitted leave for up to one year.

Scope

2. This Policy applies to all Council members of the Municipality of the County of Cumberland who are undertaking a Parental Accommodation, as defined in s.3(aya) *Municipal Government Act* (MGA) for pregnancy, birth of child, or adoption of a child.

Policy Directives

3. The Municipality shall take measures to be a family-friendly workplace for all members of Council without limitations, this will include:
 - Promoting and ensuring a workplace culture that supports and encourages families;
 - Supporting balance and respecting boundaries between work and family;
 - Promoting and providing spaces for breastfeeding;
 - Providing space for family care including changing stations in washrooms;
 - Embracing parents bringing their infants to Council and Municipal Committee meetings;
 - Making flexible working arrangements for families at all stages; and
 - Advocating for and accommodating the needs of all families.

Principle of Non-Penalty

4. Any member of Council taking a Parental Accommodation shall not be penalized in any way for their absence from Councillor Committee meetings. Without limitation, this includes deductions for missed meetings, salary decreases, any other financial penalty, or exclusions from Council events.

Notice of Leave

5. Any Council member planning a Parental Accommodation shall endeavor to provide two weeks' notice of any leave to the Mayor and Municipal Clerk.

Compensation and Additional Benefits

6. While on a Parental Accommodation, any member of Council shall continue to receive remuneration as prescribed in Remuneration For Members of Council Policy 15-01. Policy and any benefits they have opted to receive. That is, any benefits or deductions the member of Council was receiving prior to their Parental Accommodation shall continue while on a Parental Accommodation.

Length of Leave

7. Any member of Council may take up to 52 consecutive weeks of leave during a pregnancy or leave within a year of a birth or adoption.
8. Per s.17(4)(a) MGA, a Mayor or Councillor who is absent for 52 or fewer consecutive weeks due to Parental Accommodation during a pregnancy or leave commenced within a year of a birth or adoption may not be disqualified to serve as Mayor or Councillor.

Determining Responsibilities While on Leave

9. The member of Council going on leave is entitled to determine their level of involvement during parental leave. This may include attendance at some Councillor Committee meetings, responding to calls or emails, and meeting with constituents.
10. The member of Council is encouraged to submit a signed written commitment to the Mayor and CAO that includes:
 - the processes that will be implemented to ensure that the member of Council's constituents remain represented during parental accommodation leave, which may include another member of Council providing coverage or any other process that the member of Council taking leave determined appropriate; and
 - The duties that the member of Council intends to continue to perform during all or part of the parental accommodation leave.
11. A member of Council may revise their written commitment during parental Accommodation leave by submitting a revised written commitment to the Mayor and CAO.

Interim Representation and Continued Service on Committees

12. Interim representation on committees shall be arranged prior to Parental Accommodation beginning. The Council member going on leave will determine the need for interim representation on Committees to which they have been appointed. If necessary, the Nominating Committee may assist in arranging interim representation on Committees.
13. The Council member(s) providing interim representation for the member of Council on leave shall also sign the written commitment per section 3.B to confirm their acceptance of responsibilities on behalf of the member taking leave.

14. Per 5.25(1)(a) *MGA*, any member of Council who goes on Parental Accommodation may not be removed as a member of committees, commissions, and boards.

Leave for Pregnancy Loss

15. In the case of a pregnancy loss experienced by a member of Council after the 19th week of pregnancy, it shall be the intention of Council to provide a leave of up to 17 weeks. In these cases, leave shall be considered a Parental Accommodation as set out in Section 9 of this Policy.

Responsibilities

16. Municipal Council will:

- ensure that the Municipality of the County of Kings has a comprehensive Parental Accommodations Policy in place: and
- provide for parental supports for elected officials in a way that is consistent with the *MGA* and this Policy, including accepting additional responsibilities if needed.

17. The Chief Administrative Officer will:

- administer and implement this Policy; and
- propose amendments to this Policy as needed.

**No Objections
MOTION CARRIED**

5.2 Remuneration Policy for Members of Council

IT WAS MOVED by Councillor Fletcher seconded by Councillor Welton to give notice that Council will consider the Remuneration Policy for members of Council Policy for adoption at the May 6, 2020 Council meeting.

Municipality of Cumberland Policy 20-XX
Remuneration Policy for Members of Council

Title

1. This Policy is entitled the "Remuneration Policy for Members of Council".

Remuneration

2. The annual remuneration to be paid to the members of Council, effective April 1, 2014:
- (1) to the Warden, twenty-two thousand, seven hundred and seventy-two dollars (\$22,772) plus an additional stipend in the amount of fifteen thousand, eight hundred and one dollars (\$15,801) for carrying out the duties of the Warden's office;
 - (2) to the Deputy Warden, twenty-two thousand, seven hundred and seventy-two dollars (\$22,772) plus an additional stipend in the amount of two thousand, two hundred and seventy-eight dollars (\$2,278) for carrying out the duties of the Deputy Warden's office;
 - (3) to the Councillors, Twenty-two Thousand, Seven Hundred and Seventy-Two Dollars (\$22,772).
3. Effective April 1, 2015 and in each subsequent April, the annual remuneration to be paid to members of Council shall be increased by the average annual change in the Consumer index for Nova Scotia, all items, published by statistics Canada for the preceding year.
4. Annual remuneration shall be paid in 26 instalments.

5. A review of Council remuneration will be conducted prior to 2016/17 budget approval and every 4 years thereafter as part of the Municipality's compensation reviews.
6. A Council member is eligible to participate in the Municipality's registered pension plan, subject to the requirement of the plan.

Remuneration from Appointed Positions

7. Where a council member is nominated or appointed by the Council to a board, commission or other position or is otherwise appointed as a representative of the Municipality, any remuneration from that position, excluding reimbursement of expenses, to which that council member is entitled shall be paid to the Municipality.

Reimbursement of Expenses

8. Members of Council shall be reimbursed for expenses incurred in accordance to the Municipality's Policy on Council Member Reimbursement for Attending Meetings and Conferences.
9. This Policy is effective upon adoption and replaces any previous Remuneration for Member of Council Policies.

**No Objections
MOTION CARRIED**

5.3 Public Sewer By-Law

Director of Engineering and Operations fielded questions from Council.

Councillor Fletcher requested that we notify a particular local media reporter that the Parrsboro Waste Water project was not "over budget" as he keeps saying, but under funded by our funding partners. It was completed within the approved tender amount for this project.

IT WAS MOVED by Councillor Fletcher second by Councillor Rafuse to approve first reading of the Public Sewer By-Law.

Municipality of Cumberland By-Law 20-XX Public Sewers By-Law

Part I - General

Title

1. This By-Law may be cited as the "Public Sewers By-Law for the Municipality of the County of Cumberland" and shall apply to the Municipality of Cumberland.

Definitions

2. In this By-Law, unless the context otherwise requires, the expression:
 - (a) "biochemical oxygen demand" or "BOD" means the quantity of oxygen utilized, expressed in milligrams per litre, in the biochemical oxidation of matter within a one hundred and twenty hour period at a temperature of twenty degrees centigrade as determined in procedures set forth in "Standard Methods";
 - (b) "building" means any dwelling, house, shop, store, office, or any building which would require sewerage services;

- (c) “building service connection” means a piping system that conveys sewage, from a property to a municipal sewer;
- (d) “chemical oxygen demand” or “COD” means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per litre, according to “Standard Methods”;
- (e) “chief administrative officer” means the chief administrative officer of the Municipality.
- (f) “clerk” means the clerk for the Municipality.
- (g) “colour of liquid” means the appearance of a liquid from which the suspended solids have been removed;
- (h) “combined Sewer” means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
- (i) “council” means the elected Council of the Municipality;
- (j) “domestic waste” means waste derived principally from dwellings;
- (k) “effluent” means treated wastewater flowing out of a treatment plant;
- (l) “engineer” means the Municipal Engineer of the Municipality and includes a person acting under the supervision and direction of the engineer;
- (m) “fixed-roof overnight accommodation” means a building, buildings on the same lot, or part thereof used to accommodate the travelling public for gain or profit by supplying them with overnight sleeping accommodation with or without meals, with or without on-site administration, and with or without private cooking facilities, and may include, but is not limited to, hotels, motels, cottage or cabin rentals, and short-term house or apartment rentals.
- (n) “frontage” means the length of the property line that runs parallel to the portion of street, right of way, or highway housing the sewer main;
- (o) “grease” means total oil and grease extracted from aqueous solution or suspension according to the laboratory procedures set forth in “Standard Methods”, and includes, but is not limited to, hydrocarbons, esters, oils, fats, waxes and high molecular fatty acids;
- (p) “holding tank” means a closed watertight receptacle that is designed and used to receive and store sewage prior to collection by a septic tank cleaner for disposal at an approved off-site location;
- (q) “industrial premises” means an area of land with or without buildings or structures on which activities pertaining to industry, manufacturing, commerce, trade, business or institutions are carried out as distinguished from dwellings;
- (r) “inspector” means a person authorized by the Municipality to carry out observations and inspections and to take samples as prescribed by this By-Law;**
- (s) “lot” means a parcel of land described in a valid deed, recorded at the Registry of Deeds, or as shown on an approved final plan of subdivision, or recorded at the Registry of Deeds.**

- (t) “matter” includes any solid, liquid, or gas;
- (u) “municipal sewer” means a sewer controlled by the Municipality;
- (v) “municipality” means the Municipality or the area contained within its municipal boundaries, as the context requires;
- (w) “natural outlet” means any outlet from a natural watercourse into another watercourse, pond, ditch, lake, or other body of surface or ground water;
- (x) “on-site sewage disposal system” means
 - (i) a septic tank and a disposal field,
 - (ii) a holding tank,
 - (iii) a privy, or
 - (iv) a system, other than one described in sub clauses (i), (ii) or (iii), that meets specifications established or adopted by Nova Scotia Environment and is not directly connected to a municipal system or an approved central sewage collection and treatment system, but does not include a wastewater treatment facility;
- (y) “owner” includes a part owner, joint owner, tenant in common, or joint tenant of the whole or any part of any lot or building; and in case of the absence or incapacity of the person having title to the lot or building a trustee, an executor, an administrator, a guardian, an agent, a mortgagee in possession, or any other persons having the care or control of the lot or building and in absence of proof to the contrary, the person assessed for the property;
- (z) “pathologic waste” means waste generated in a hospital or similar institution which contains human or animal tissue altered or affected by disease, and instruments or other materials which may have come in contact with such tissue;
- (aa) “person” means any individual, firm, company, association, society, corporation or group;
- (bb) “pH” means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion concentration of the solution in accordance with the “Standard Methods”;
- (cc) “phenolic compounds” means hydroxyl derivatives of benzene and its condensed nuclei, concentrations of which shall be determined by “Standard Methods”;
- (dd) “private wastewater facility” means a wastewater facility that is privately owned and serving two or more lots;
- (ee) “professional engineer” means a person who through specialized education, training and experience is skilled in the principles and practice of engineering; and is a member in good standing of the Association of Professional Engineers of NS.
- (ff) “provincial regulations” means the requirements and provisions of the Province of Nova Scotia contained in any Provincial Statute or in any Regulation or Order made pursuant to the authority of any Statute of Nova Scotia;
- (gg) “public sewer” means a sewer which is owned and maintained by the Municipality;

- (hh) “sanitary sewer” means a sewer receiving sewage and to which storm, surface, or groundwater is not intentionally admitted;
- (ii) “sewage” means the combination of liquid and water-carried wastes from buildings, containing animal, vegetable or mineral matter in suspension or solution, together with such groundwater, surface water or stormwater as might be present;**
- (jj) “sewer” and “sewer works” means a pipe or conduit for carrying sewage, groundwater, stormwater or surface runoff, and includes all sewer drains, storm sewers, clearwater sewers, storm drains and combined sewers vested in, or under the control of, the Municipality;
- (kk) “standard methods for the examination of water and wastewater” (herein referred to as “Standard Methods”) means the analytical and examination procedures provided in the edition, current at the time of testing, published jointly by the American Public Health Association and the American Water Works Association or any publication by or under the authority of the Canadian Standards Association deemed appropriate by the Municipality;
- (ll) “storm sewer” means a sewer that carries stormwater, excluding sewage;
- (mm) “stormwater” means water from precipitation of all kinds, and includes water from the melting of snow and ice, groundwater discharge and surface runoff water;
- (nn) “street” means a public street, highway, road, lane, sidewalk, thoroughfare, bridge or square and includes the curbs, gutters, culverts and retaining walls in connection therewith;
- (oo) “suspended solids” means insoluble matter than can be removed by filtration through a standard glass fibre filter as provided by “Standard Methods”;
- (pp) “uncontaminated water” means any water, including water from a public or private water works, to which no matter has been added as a consequence of its use, or to modify its use, by any person, and may include cooling water;
- (qq) “waste” means any material discharged into wastewater facility;
- (rr) “wastewater” means any liquid waste containing animal, vegetable, mineral, or chemical matter in solution or suspension carried from any premises;
- (ss) “wastewater facility” means the structures, pipes, devices, equipment, processes or other things used, or intended to be used, for the collection, transportation, pumping or treatment of sewage and disposal of effluent, which are operated by the Municipality;*
- (tt) “water utility” means any water utility or public water supply system operated by the Municipality;
- (uu) “watercourse” means the bed and shore of every river, stream, lake, creek, pond, spring, lagoon, swamp, marsh, wetland, ravine, gulch or other natural body of water and the water therein, and any channel, ditch, reservoir, drain, land drainage works or other man-made surface feature intended to convey or contain water, whether it contains or conveys water or not; and
- (vv) “year” means the fiscal year of the Municipality.

Notification

3. For the purposes of this By-Law, any notice or communication required to be given to a property Owner shall be deemed to be adequately and properly given if mailed by regular mail to the address appearing on the current assessment roll of the Municipality, if delivered by hand to that address, and in the case of the Inspector, Engineer, or Municipality, if mailed by regular mail to, or if delivered by hand to the Municipal Clerk of the Municipality at the offices of the Municipality.

Any notice or communication sent by regular mail shall be deemed to have been received seven days after having been mailed.

Appeals

4. To appeal any portion of this by-law the owner must apply in writing to the Municipal Engineer stating the nature of the appeal. The Clerk shall fix a date for the hearing of the Appeal by Council. The hearing of the Appeal shall be as timely and informal as circumstances permit.

Inspection

5. For the purpose of the administration of this By-Law, pursuant to Section 503 of the Municipal Government Act, the Inspector may, upon production of their identification, enter any industrial premises and have free unimpaired access, to observe, to measure the flow of wastewater to any sewer and to collect any samples required at reasonable times.

Pretreatment

6. Where pre-treatment or flow equalizing is required for any wastewater, storm water, or water, they shall be maintained continuously and satisfactorily in effective operation by the Owner at their expense.

Damage To Facilities

7. No person shall break, damage, destroy, deface or tamper or allow the breaking, damaging, destroying, defacing or tampering with:
 - (a) any part of the wastewater facility or sewer; or
 - (b) any permanent or temporary device installed in the wastewater facility or sewer for the purpose of pumping, measuring, sampling and testing of wastewater.

Work On Facilities

8. No work shall be carried out on any sewer or wastewater facility other than by the authority of the Engineer.

Closing Private Sewers or Drains

9. The Engineer has the power to stop any private sewer or drain from discharging into the wastewater facilities if it is discharging any substances prohibited by this By-law or which are liable to injure the sewers or obstruct the flow of sewage. The engineer shall not cause any sewer to be closed up pursuant to this sub-section unless the Owner of the sewer is first notified and given seven days to remedy the situation unless deemed urgent by the engineer.

Offences

10. Any person who contravenes any section of this By-law is liable on conviction to a fine of not less than \$100.00 and not more than \$10,000.00 and in default of payment to imprisonment for a term of not more than one year.

Part II - Sewer Charges**Sewer Service Charge**

11. Every Owner of land:

- (a) on which any building is connected to a wastewater facility;
- (b) that fronts on any street or highway in which a sewer is situate;
- (c) that fronts on any right of way in which a sewer is situate;
- (d) that fronts on any right of way which connects to a street or highway in which a sewer is situate; or
- (e) on which a building is situated that council has ordered connected to a wastewater facility;

shall pay to the Municipality an annual "Sewer Service Charge" for the provision of central sewer service which will cover the cost of construction, operation and maintenance of all wastewater facilities owned and operated by the Municipality. The Sewer Service Charge shall be collected as an "Area Rate" as described in the Municipal Government Act.

User Unit Value

12. (1) The Municipality shall assign a User Unit Value to every lot of land
- (a) on which any building is connected to a wastewater facilities;
 - (b) that fronts on any street or highway in which a sewer is situated;
 - (c) that fronts on any right of way in which a sewer is situated;
 - (d) that fronts on any right of way which connects to a street or highway in which a sewer is situate; or
 - (e) on which a building is situated that council has ordered connected to a wastewater facility as outlined in Schedule "A"
- (2) The User Unit Value assigned to a lot by the Engineer pursuant this to section may be appealed to Council within 30 days of notice.
- (3) Appeals regarding user unit value shall be retroactive for a maximum of 12 months from the date of notice, unless the owner can demonstrate the error or negligence of the Municipality.
- (4) The User Unit Value assigned a lot by the Engineer pursuant this section may be reviewed as deemed necessary by the Engineer and/or as usage of said lot changes.
- (5) Lot Owners shall be notified in writing of any changes in assigned User Unit Values.
- (6) All lots situated at the termination of a wastewater facility shall be assigned the same user unit value as if the wastewater facility were to pass in front of the lot for the entire length, provided that in no case shall any such lot be assessed for a greater length of frontage than 21.3 meters beyond the termination of the sewer measured along the side of the highway, street, or lane from a point directly opposite the termination of the sewer.
- (7) Any corner lot where a wastewater facility changes direction from one street to another, or where a sewer is to be constructed in both streets shall be entitled to a deduction in frontage length equal to the frontage of the smaller side up to a maximum of 22.9 meters in length.
- (8) Where the Owner is dissatisfied with the frontage applied to the property to which the Sewer Service Charge shall apply, the Owner shall have the frontage determined by a Nova Scotia land surveyor, and the certificate of the land surveyor, shall determine the length of frontage for the purpose of this by-law.
- (8) Where a lot upon which a building has been constructed has more than 61 meters of

frontage, that lot shall be subject to an additional sewer service charge calculated as if that portion of the frontage in excess of 61 meters were a lot upon which no building has been constructed.

Calculation of Uniform Sewer Charges

13. The Municipality shall annually calculate the Sewer Service Charge for the provision of centralized sewer service by wastewater facilities owned and operated by the Municipality. The total annual budgeted costs for the facility or facilities will be equally cost shared by the total number of equivalent user units using said facility or facilities. Equivalent User Units are set out in Schedule "A" of this By-Law.

Metered Sewer Service Charge

14. The Municipality may levy the Sewer Service Charge as a metered charged based on the total annual metered consumption of the water utility serving that area. Metered Sewer Service Charge may be established by Council in areas where more than 90% of the users have metered water service from a water utility operated by the Municipality.

Calculation of Metered Sewer Service Charge

15. The Municipality shall annually calculate the Metered Sewer Service Charge by dividing the total annual cost, or a portion thereof, of the sewer system, including capital repayment costs, by the estimated total annual metered consumption of the Water Utility.
- (1) Every owner of property who is a user of the Water Utility shall pay a Metered Sewer Service Charge based on the amount of water consumed on that property.
 - (2) Every owner of property who is a user of a non-metered connection, shall pay a Sewer Service Charge based on a user unit value assigned per Section 12.
 - (3) Every owner of property who is a non-user of the Water Utility but is a user of the sewer system shall pay a Sewer Service Charge on a user unit value assigned per Section 12.
 - (4) There will be no exemption from the Sewer Service Charge for water metered and used in production premises, swimming pools, irrigation, or in any other manner, although such water is not discharged into wastewater facilities.
 - (5) Vacant properties in the area levied a Metered Sewer Service Charge shall pay a flat rate sewer charge. This rate shall be established annually.

Capital Charges

16. No portion of the capital construction cost of a new system or an extension of an existing system will be funded by existing system reserves. Any portions of a new system not funded by government, County Council or other funding agency shall be charged to the new system's users in the form of an area rate or local improvement charge and shall be in addition to the Uniform Sewer Charges upon completion.

Exemptions

17. (1) Any lot of land that fronts on any street or highway in which a sewer is situated, or that fronts on a right of way which connects to such a street or highway, is not liable to pay the sewer service charge if the Engineer certifies that the size, dimensions, or topography of a property are such that a building or structure could not be built or developed on it due to the provisions of any pertinent legislation.
- (2) A decision of the Engineer pursuant to this section may be appealed to Council within 30 days of notice.
- (3) The property occupied as a cemetery shall be exempt from the payment of a sewer service charge.

- (4) Where any land is assessed as "Resource Property as shown on the Tax Roll for the current year, it shall be exempt from the payment of the sewer service charge.
- (5) A lot upon which no building has been constructed which has less than the minimum area for a lot served by wastewater facility, or a lot served by both sewer and water as required by the Land Use By-law for development for residential or commercial purposes, is exempt from the sewer service charge.

Initiation of Charges

18. (1) Sewer service charges shall be levied on the Owners of all properties liable to pay the same commencing in the year following the year in which a sewer has been installed.
 - (2) For the purposes of this By-Law, a sewer has been installed when the Engineer has certified to the Council that the facility or project of which the sewer forms part is substantially complete.
 - (3) The Engineer shall forward a notice to each person who would be liable for the payment of a sewer service charge, that a sewer has been installed.

Collection

19. (1) The sewer service charge shall be billed annually in conjunction with annual municipal taxes.
 - (2) The sewer service charge, if not paid by due date, shall bear interest at the same rate as charged on unpaid taxes.

Liens

20. (1) The sewer service charge is a lien on the property in the same manner and with the same effect as rates and taxes under the Assessment Act.
 - (2) The sewer service charge and interest may be sued for and collected in the same manner as other rates and taxes.
 - (3) Land is liable to be sold for unpaid sewer service charges the same and with the same effect as for unpaid rates and taxes pursuant to the Assessment Act.

Sewer Connection

21. (1) Any land Owner connecting to municipal sewer, where a building service connection is not constructed to the property line, shall pay a flat connection fee as established by policy. Upon the installation of the building service connection by the Municipality, the user unit value, as prescribed in section 12, shall be assigned to the property the following and subsequent fiscal years, as if the property were developed, regardless of whether or the property is developed or not.
 - (2) The Municipality shall be responsible for any part of a building service connection that is in a public street, highway or sewer easement.
 - (3) In lieu of the Municipality installing the building service connection the Owner of a property may contract these services privately provided the following conditions are met:
 - (a) the Owner executes a letter of undertaking associated with the work that includes the above conditions and additional site-specific conditions as may be required by the Engineer.

- (b) the Owner obtains a “[Work Within Highway Right-of-Way Permit](#)” from the Nova Scotia Transportation and Infrastructure Renewal and provides a copy to the Engineer;
- (c) the Contractor conducts all work in accordance with the Nova Scotia Transportation and Infrastructure Renewal, Nova Scotia Environment, Canadian Plumbing Code, Standard Specifications for Municipal Services, this By-Law, and good engineering practices;
- (d) the Owner pays a flat inspection fee to the Municipality for the cost of inspection services as established by policy
- (e) the Contractor gives one week written notice to the Engineer prior to the installation;
- (f) the Owner indemnifies the Municipality from any loss or damage that may directly or indirectly be occasioned by the installation of the building service connection;
- (g) the Contractor does not cover any portion of the installation without approval of the Engineer or their appointed representative;
- (h) the Contractor completes all work within 14 days of the installation. The Municipality, at the Owner’s expense, will conduct work not completed within this time frame as well as any work found to be unsatisfactory to the Engineer these costs will be collected in the same manner as taxes and may form a lien on the property.

Subdivisions

22. Any proposed extension of wastewater facility to service a subdivision shall comply with the requirements of the Subdivision By-Law of the Municipality.

Part III - Sewer Construction and Connections

Construction of Municipal Sewers

23. (1) Whenever the majority of the Owners of property in any designated area of the Municipality petition the Council for the construction of a public sewer, the Council may order the sewer to be constructed.
- (2) Every petition for a public sewer shall be in a form acceptable to the Engineer which clearly states the location in which the new sewer is requested, and the name, civic address, mailing address, email and phone number of each petitioner.
- (3) When the Council deems it necessary that a wastewater facility be acquired or constructed in the Municipality the Council may order this construction by resolution. This resolution may be made without the authorization of any petition of the owners.
- (4) The Council may by resolution order the repair or improvement of sewers existing in any area of the Municipality and perform any other work necessary to complete the repair or improvement.

Connection Requirement

24. (1) The Owner of a building which is not more than 61 meters from the right-of-way in which a sanitary sewer is constructed shall be required at the Owners expense to construct and connect a building service connection to the sewer. the Engineer may exempt any such building that:
- (a) appears to be adequately served with an existing on-site sewage disposal system that has been approved by Nova Scotia Environment; or
 - (b) would not be adequately served by connection to the wastewater facility.

- (2) The Council shall not require an Owner to connect to a public sewer until service from the sewer has been available to the property for one year.
- (3) The Engineer may give notice in writing to an Owner of a building that may be served by a sewer, requiring that Owner to connect the building to the public sewer within a specified time period.
- (4) Upon receipt of a notice from the Engineer requiring a connection, the Owner shall, within the specified time period, connect the building to the public sewer by a building service connection.
- (5) The Engineer may require, as a part of the work necessary for compliance, the installation of a suitable toilet and its connection to a public sewer.

Connection Specifications

25. Every person connecting to a public sewer shall construct the service connection according to requirements of the National Building and Plumbing Codes, Standard Specifications for the Installation of Municipal Services, Nova Scotia Environment, Nova Scotia Transportation and Infrastructure Renewal and the Municipality's policy respecting Building Service Connection Standards and Specifications.

Service Connection

26. (1) No person shall uncover, make any connection with or opening into, repair, use, alter or disturb any public sewer without first obtaining written permission from the Engineer.
- (2) No person shall connect any private sewer or building sewer to a municipal sewer or modify any existing connection without first filing with the Engineer the Municipality's "Application to Construct or Modify a Building Service Connection" and obtaining permission to do so. See Appendix B. The application shall be supplemented by any plans, specifications, and other information as is deemed necessary by an Engineer and in accordance with good engineering practices.
- (3) No connection to a municipal sewer shall be made except under the supervision of the Engineer.
- (4) Existing building service connections may be used in connection with new buildings only when they are found, on examination and test by the Engineer to meet all the requirements of this By-Law.
- (5) The Engineer, at their discretion, may require an Owner to either repair, reconstruct or replace a building service connection, if, in their opinion, it has failed or malfunctioned, or is in danger of doing so.
- (6) If in the opinion of the Municipal Engineer a building service connection is not laid, built and connected with the public sewer or any other work in connection with the building service connection is not done in accordance to the Application to Connect, the Engineer shall, in writing, notify the Owner of the property served by the building service connection specifying in what particulars the work is unsatisfactory. If the Owner fails to perform the work to the satisfaction of the Engineer within seven days from the receipt of the notice, the Engineer may perform the necessary work at the Owner's expense which may be collected in the same manner as taxes.
- (7) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which the building service connection is

too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drains shall be lifted by a means designed by a Professional Engineer, and discharged to the sewer service connection at no expense to the Municipality.

- (8) A separate and independent building service connection shall be provided for every building lot. Multiple buildings may utilize a common building service connection if all the following conditions are met:
- (a) Prior to installation, the owner must submit a scaled site plan including: property boundaries, easements, proposed and existing building locations, driveway(s), and other topographical features of the lot relevant to the installation as well as the proposed building service connection arrangement, proposed pipe sizes, slopes and connection details.
 - (b) All buildings utilizing a common building service connection are located in whole on a single building lot.
 - (c) Provisions have been made, that are satisfactory to the Engineer, to prevent backflow conditions in the buildings utilizing a common building service connection.
 - (d) Provisions have been made, that are satisfactory to the Engineer, to allow for mechanical cleaning of the common building service connection.
 - (e) For each building the owner must submit detailed "fixture unit" calculations as described in the current edition of the Canadian Plumbing Code for each building in a form acceptable to the Engineer.
 - (f) The owner is responsible for all repairs and maintenance of the entire building service connection up to the public right of way.
 - (g) All charges as described in this By-Law shall apply to all buildings utilizing a common building service connection as if each building had an independent building service connection.
- (9) Prior to subdividing a lot where two or more existing buildings utilize a common building service connection, the Owner must install separate and independent building service connections for each proposed lot on which an existing building is located, and must acquire and record easements in compliance with Section 26 (13) below for any portions of the building service connections not within the same lot as the building they service.
- (10) All excavation within the public right-of-way shall meet all regulations and specifications of the Nova Scotia Transportation and Infrastructure Renewal, applicable to the Municipality.
- (11) The person for whom an application has been approved, or his authorized agent or successor, shall notify the Engineer when the subject sewer service connection is ready for inspection and connection to the public sewer.
- (12) The inspection shall be made within 7 days of the receipt of notice per sub section 26 (3). No portion of the works shall be covered until authorized by the Engineer. If any portion is not in compliance with this By-Law, a notice shall be given to the Owner, and all the above provisions respecting period of notice, time limit for inspection, operation of the building service connection, burial of underground works, and correction of unsatisfactory works shall be thereby renewed.
- (13) Where a building service connection is not to be installed in whole on a single building lot or is installed in a right of way, the owner of that building lot shall obtain and record

at the Land Registry Office a legal easement to allow for the installation and maintenance of the proposed building service connection prior to its installation. A copy of this easement must be filed with the Engineer prior to commencing the installation.

- (14) If work is not complete or in compliance with this By-Law when a scheduled inspection is conducted, the owner shall be charged a re-inspection fee as established by policy for each additional inspection.

Repairs

27. (1) Where a building service connection is causing a municipal sewer to malfunction and repairs to the connection would result in the malfunction being cured, the Engineer may require the Owner of the property, in which any portion of the connection which requires repairs is located, to complete the repairs within a specified time.
- (2) Where the repairs required are not completed by the Owner within the time specified, the Engineer may perform the necessary work at the Owner's expense which may be collected in the same manner as taxes and form a lien on the property.
- (3) In the event an existing building service connection is blocked the Owner of the property will employ a plumber to assess and attempt to clear the blockage. If the plumber determines the blockage is within the public right of way the Owner shall notify the Municipality of the blockage including measurements indicating the approximate location of the blockage. If the blockage exists within the public right-of-way, the Municipality will attempt to clear the blockage as per section 27 (4)&(5).
- (4) The Municipality works department will only respond to a blockage within the public right-of-way of building service connections during regular business hours of the Municipality with the following exceptions:
- (a) a sewer serving, a hospital, police station, school or other publicly owned facility where a failure of the sanitary sewer poses an immediate and significant hardship for the occupants.
- (5) In the event that the blockage cannot be cleared by the plumber as per section 27 (3) and is the result of a construction deficiency within the public right of way, the Municipality will reimburse the owner the costs associated with employing the qualified person upon submission of an invoice and proof of payment up to a maximum of \$250.00.

Storm Sewage

28. No person shall connect any storm sewer to any sanitary sewer.

Disconnection

29. (1) No person shall disconnect any private sewer or building sewer from a municipal sewer without first filing an Application to Disconnect from a public sewer with the Engineer for the Municipality and obtaining permission to do so. Whenever any building service connection is abandoned, the Owner shall effectively cap the connection at the property line so as to prevent sewage from backing up into the soil, or solid materials being washed into the sewer. See Appendix C
- (2) The capping must be inspected and a certificate of approval be issued by the Engineer before it is covered.
- (3) Where the Owner covers in a capped sewer connection before it is inspected and a

certificate of approval issued, the Engineer may open it for the purpose of inspection. If the work is not in compliance with this By-Law, a notice shall be given to the Owner in respect of the unsatisfactory portion, and all of the above provisions respecting period of notice, time limit for inspection, operation of the building service disconnection, burial of underground works, and correction of unsatisfactory works shall be renewed.

- (4) If the Owner does not effectively cap a sewer service connection as required per section 29 (1) within seven (7) days from receipt of a notice from the Engineer the work shall be completed by the Municipality at the owners expense.
- (5) When the owner of a building intends to change the use of the building and where the new use would not require sewer services (eg. storage building) the following steps are required:
 - (a) obtain approval for the change in usage including a development permit from the Municipality;
 - (b) remove all plumbing fixtures and waste piping from the building; and
 - (c) follow the procedure set out in section 28 above for disconnection of the building service connection a minimum 1.2 meters outside the foundation of the building.

Liability

30. The Owner shall indemnify the Municipality from any loss or damage that may directly or indirectly be caused by the installation of the building service connection.

Part IV - Sewer Discharge

Discharges to Combined and/or Sanitary Sewers:

31. (1) Except as otherwise provided in this By-Law, no person shall discharge, release, suffer or cause to be discharged into any sanitary sewer, combined sewer, public or private connections to any sanitary sewer or combined sewer any of the following:
 - (a) No person shall Discharge into a Wastewater System, Wastewater which causes or may cause:
 - i. a health or safety hazard;
 - ii. obstructions or restrictions to the flow in the Wastewater System;
 - iii. an offensive odour to emanate from the Wastewater System, including with respect to Wastewater containing hydrogen sulphide, mercaptans, carbon disulphide, other reduced sulphur compounds, amines, or ammonia in such quantity that may cause an offensive odour;
 - iv. damage to a Wastewater System;
 - v. interference with the operation and maintenance of the Wastewater System;
 - vi. a restriction of the beneficial use of Biosolids from the Commission's Wastewater System;
 - vii. effluent from the Commission's Wastewater System to be in violation of any Provincial or Federal Acts or Regulations;
 - viii. capacity or hydraulic impacts which may interfere with the operation of the Wastewater System.
 - (b) No person shall Discharge, into the Wastewater System, one or more of the following:
 - i. Combustible Liquids;
 - ii. Fuel;
 - iii. Hauled Waste or Leachate, except with the prior written approval of the

Commission;

- iv. Ignitable Waste including but not limited to, flammable liquids, solids, or gases, capable of causing or contributing to an explosion or supporting combustion in the Wastewater System;
 - v. detergents, surface-active agents or other substances that may cause excessive foaming in the Wastewater System;
 - vi. dyes or colouring materials which pass through the Wastewater System and discolour the Wastewater infrastructure or effluent;
 - vii. Pathological Waste in any quantity;
 - viii. PCBs;
 - ix. Pesticides;
 - x. Reactive Waste;
 - xi. Waste Radioactive Substances, including naturally occurring radioactive material (NORM), in excess of concentrations greater than those specified for Release to the environment under the *Nuclear Safety and Control Act* and Regulations made thereunder, each as amended from time to time;
 - xii. Hazardous Waste;
 - xiii. Extraneous Water or Wastewater without the prior written approval of the Commission;
 - (i) animal offal;
 - (ii) seawater;
- (c) punch manure or intestinal contents from horses, cattle, sheep or swine, hog bristles, pig hooves or toenails, animal intestines or stomach casings, bones, hides or parts thereof, manure of any kind, poultry entrails, heads, feet or feathers, eggshells, fleshing and hair resulting from tanning operations;
- (d) animal fat or flesh in particles larger than will pass through a 6 millimeter screen;
- (e) sewage containing pathological or medical wastes;
- (f) the contents of septic tanks, holding tanks or wastes from marine vessels or vehicles;
- (g) sewage that has any corrosive property that could be hazardous to structures, equipment or personnel;
- (h) inflammable or explosive matter; and without limiting the generality of the foregoing, gasoline, benzene, naphtha or fuel oil or wastewater containing any of these in any quantity;
- (i) No person shall Discharge into the Wastewater System, Wastewater with any one or more of the following characteristics:
- i. a pH less than 5.5 or greater than 9.5;
 - ii. two or more separate liquid layers;
 - iii. a temperature greater than 65 degrees Celsius.
- (j) wastewater containing dyes or colouring materials which pass through a wastewater facility and discolour the wastewater facility effluent;
- (k) wastewater containing any of the following in excess of the indicated concentrations:
- (l)

Limits for Discharge to Wastewater System

Parameter	Milligrams Per Litre
Aluminum, Total	50
Antimony, Total	5
Arsenic, Total	1
Barium, Total	5

Benzene	0.01
Beryllium, Total	5
Biochemical Oxygen Demand	300
Bismuth, Total	5
Cadmium, Total	0.7
Chemical Oxygen Demand	600
Chloride	1500
Chloroform	0.05
Chromium, Total	2
Cobalt, Total	5
Copper, Total	1
Cyanide, Total	2
1,2 - Dichlorobenzene	0.05
1,4 - Dichlorobenzene	0.08
cis -1,2 - Dichloroethylene	4.0
Parameter	Milligrams Per Litre
trans -1,3 - Dichloropropylene	0.15
Ethylbenzene	0.06
Fluoride	10
Iron, Total	50
Lead, Total	1
Manganese, Total	5
Mercury, Total	0.01
Methylene chloride	0.2
Molybdenum, Total	5
Nickel, Total	2
Oil & Grease - mineral or synthetic in origin (TPH)	15
Oil & Grease - animal or vegetable in origin	100
Phenolic Compounds (4AAP)	1
Phosphorus, Total	10
Selenium, Total	1
Silver, Total	2
Sulphates Expressed as SO ₄	1500
Suspended Solids, Total	300
Sulphide (as H ₂ S)	1.0
1,1,2,2 - Tetrachloroethane	0.5
1,1,2,2 - Tetrachloroethylene	0.5
Tin, Total	5
Titanium, Total	5
Toluene	0.01
Total Kjeldahl Nitrogen	100
Trichloroethylene	0.5
Vanadium, Total	5
Xylene, Total	0.3
Zinc, Total	2

* Refer to section 63(2) for pH limit

**A reference to "Total" in this table denotes total concentrations of all forms of the metal and ion including both particulate and dissolved species.

- (m) wastewater containing more than one hundred (100) milligrams per litre of fat, grease, or oil, and, in the case of mineral oils, in concentrations exceeding fifteen (15) milligrams per litre;
 - (n) any wastewater or constituent within that results in inhibitory or damaging chemical reactions within the collection, transmission, or treatment facility.
 - (o) radioactive materials except as may be permitted under the Atomic Energy Control Act, RSC 1952, Chapter 11 (or the most recent Act) and amendments thereto and regulations thereunder; or
 - (p) unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to sodium chloride and sodium sulphate).
 - (q) No person shall dilute Wastewater in order to become compliant with these Regulations, without the prior written approval of the Commission.
 - (r) No person shall Discharge Uncontaminated Water into the Wastewater System without the prior written approval of the Commission.
- (2) Without limiting any of the foregoing, no person shall discharge or cause to be discharged any waters or wastes containing substances which are not amenable to treatment or reduction of the sewage by treatment processes employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirement of the agencies having jurisdiction over discharge to the receiving waters.
- (3) No person shall dilute wastewater to achieve compliance with this By-Law.
- (4) No person shall discharge or cause to be discharged any sanitary sewage to any storm sewer.
- (5) No person shall injure, break, block or remove any portion of a wastewater facility or its appurtenances.
- (6) Where pre-treatment or flow equalizing facility are provided for any waters or wastes, they shall be maintained continuously and satisfactorily in effective operation by the Owner at their expense.

Discharges to Storm Sewers

32. Except as otherwise provided in this By-Law, no person shall discharge, release, place or cause to be placed, any substance other than stormwater or uncontaminated water into a storm sewer.

Discharges from Sewers

33. It shall be unlawful to discharge to any outlet within the Municipality, or in any area under the jurisdiction of the said Municipality, any sanitary or storm sewage except where suitable treatment has been provided in accordance with the provisions of this By-Law and NS Environment requirements.

Prohibition

34. No person shall:
1. Permit stormwater, surface water, ground water, roof runoff, subsurface drainage, cooling water or industrial process waters to be discharged into a sanitary sewer;
 2. Connect a sump pump to a sanitary sewer;
 3. Permit any contents of a septic tank, holding tank or cesspit to be discharged into a

municipal sewer.

Special Agreements

35. Notwithstanding any provisions in this By-Law, the Municipality may enter into a special written agreement with any industrial or commercial concern or institution whereby an industrial or institutional waste of unusual strength, volume, or character may be discharged to a wastewater facility, subject to payment therefore, and any other terms and conditions satisfactory to the Municipality.

Offences

36. The presence in wastewater of each of the matters in sections 29, 30, 32 and 33 in a concentration in excess of its limits constitutes a separate offence.

Requirement for Interceptors

37. (1) The Engineer may require an Owner of land that is connected to wastewater facility or a stormwater system of the Municipality to provide grease, oil and sand interceptors.
- (2) All interceptors shall be of a type and capacity designed by a Professional Engineer and shall be located so as to be readily and easily accessible for cleaning and inspection.
- (3) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place are gastight and watertight.
- (4) Where the interceptors required are not provided by the Owner within the time referred to in the notice, the Engineer may perform the necessary work at the Owner's expense which may be collected in the same manner as taxes and form a lien on the property.
- (5) Operation and maintenance of any interceptor is the responsibility of the Owner of the property they service. Where interceptors are not properly operated and maintained the Engineer may cause the interceptors to be operated or maintained appropriately. The Engineer may perform the necessary work at the Owner's expense which may be collected in the same manner as taxes and form a lien on the property.

Sampling and Analysis

38. (1) If required by the Engineer, the Owner of the industrial premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of the wastewater and measurement of the flow of wastewater therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the written approval of the Engineer.
- (2) The manhole or alternate device shall be located on the property of the Owner of the premises, unless the Engineer has given written approval for a different location.
- (3) Every manhole, device or facility installed as required by section 38 (1) shall be designed by a Professional Engineer and the requirements of the Engineer, and shall be constructed and maintained by the Owner of the premises at their expense.
- (4) The Owner or operator of industrial premises shall at all times ensure that every manhole, device or facility installed as required by section 38 (1) is at all times accessible for purposes of observing and sampling the wastewater and measuring the flow of

wastewater therein.

- (5) Where a sample is required for the purpose of determining the characteristics or contents of the wastewater, uncontaminated water or stormwater which is suspected to be out of compliance with this By-Law:
 - (a) one sample alone is sufficient and, without limiting the generality of the foregoing the sample shall be a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device in accordance with standard methods;
 - (b) except as otherwise specifically provided in this By-Law, all tests, measurements, analyses and examinations of wastewater, uncontaminated water and stormwater, shall be carried out in accordance with Standard Methods by a certified accredited lab; and
 - (c) for each of the metals whose concentration is limited in this By-Law the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- (6) When the Engineer believes that the strength or composition of wastewater from any industrial or commercial source is not adequately documented, may have changed, or may be in violation of this By-Law, the Engineer may conduct any sampling and analysis reasonably necessary to establish the characteristics of the wastewater, and all costs associated with the sampling and analysis shall be charged to the owner, may be collected in the same manner as taxes and from a line on the property
- (7) . The Inspector may from time to time conduct such tests as are deemed necessary at the manhole, or may enter the industrial premises and conduct the tests as deemed necessary to determine the characteristics and concentration of the effluent being discharged into the wastewater facility or storm sewer system.

Method of Sampling

39. Samples should be collected by standard methods and performed by a certified lab.

Spills

40. (1) Every person who discharges or deposits or causes or permits the discharge or deposit of any matter in any sewer that in nature or quantity is not in the ordinary course of events, shall forthwith notify the Municipality and Nova Scotia Environment per Section (69) of the Environment Act;
- (2) For any of the discharges or deposits in section 40 (1) for which the person is required to forthwith notify the Municipality, the notification shall include the following information:
 - (a) name of the person and the address of the location of the spill;
 - (b) name of person reporting the spill and telephone number where that person can be reached;
 - (c) time of the spill;
 - (d) type and volume of material discharged and any associated hazards; and
 - (e) corrective actions being taken to control the spill.
- (3) Within five days following a spill, the person shall submit to the Municipality a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence.

Reports

41. (1) Any person who deposits, intends to deposit or permits or intends to permit the deposit of any wastes except domestic wastes into a sanitary or combined sewer shall file a Waste Survey Report with the Engineer.
- (2) The Waste Survey Report shall contain the following information and shall be signed by an authorized representative of the Owner:
- (a) name and address of the premises, and names of its Owner;
 - (b) description of process operations, including waste discharge rates and contaminant concentrations, hours of operation and plans and reports certified by a professional Engineer indicating proposed industrial expansion, addition, new construction, or proposed pre-treatment works; and
 - (c) a schematic process diagram indicating waste discharge points and waste descriptions.
- (3) The Waste Survey Report shall be a form approved by the Engineer.
- (4) Where a change occurs in the information contained in a Waste Survey Report, the Owner of the premises shall submit and describe the new information within 30 days of the change.
- (5) No person shall deposit any wastes other than domestic waste in any sanitary sewer or combined sewer until:
- (a) the Engineer has confirmed that the wastes will comply with the requirements of this By-Law and;
 - (b) A Waste Survey Report has been filled with the Engineer and;
 - (c) the Waste Survey Report is accepted, in writing, by the Engineering

Repeal

42. All former sewer By-Laws of the Municipality of the County of Cumberland, Town of Springhill and the Town of Parrsboro are hereby repealed.

Schedule A

Type of Use	Unit Value	Additional Use	Additional Units
Single Family Dwelling	1	for private swimming pool add	1
		for each Doctor or Dentist office in private home add	
		for each beauty shop or barber shop in private home add	
Mobile Home	1	for private swimming pool add	1
	for each Doctor or Dentist office in private home add		
	for each beauty shop or barber shop in private home add		
Multi-Unit Building , Apartment, Row House, flat (per unit)	1	With swimming pool.	1

Semi-Detached and accessory dwelling (per unit)	1		
Rooming house, Boarding House, Convent, Institutional dormitory (up to 5 beds)	1	each additional bed	0.2
Hospitals and homes with medical care facilities	1	without laundry facilities per bed add	0.5
		with laundry facilities per bed add	0.75
Institutional Care other than hospital	1.5	For each food establishment add	1
		For each five (5) beds or fraction thereof add	1
Schools per classroom without cafeteria or gym per class room	1	with cafeteria or gym per classroom add	0.5
		with both cafeteria and gym per classroom add	1
Fixed roof overnight accommodations	1	For each guest room add	0.5
		With Swimming Pool	1
Restaurants, etc., are additional to above listing and are rated in accordance with this schedule.			
Commercial Campground and Trailer Parks	1.5	For each twenty (20) camp sites or fraction thereof add	1
Stores, banks, clubs, recreational facilities, barbershops, doctor's office, dentist's office, and places of business including industrial premises.	1	Each additional washroom facility	0.5
Cafeterias, etc., are in addition to above listing and are rated in accordance with this Schedule			
Churches, church halls, community halls	1		
Buildings owned by fraternal organizations	1		
Fire halls and fire stations	1		
Laundromat	1.5	for each machine add	0.2
Service Station	2	for each carwash bay	1
Restaurants, Snack Bars and Cafeterias	1	for each ten seats add	0.2
Licensed Restaurant, Lounge, Dining Room, or club	1	for each five seats add	0.2

Drive-in restaurant or Theatre with canteen	1	for each additional washroom facility	0.5
For each of the above types of users, for every 21.3 meters, or portion thereof, of street, right-of-way, or highway frontage in excess of 21.3 meters.	0.1		
Vacant Land, For each 21.3 meters, or portion thereof, of street, right-of-way, or highway frontage	0.1		

Heavy commercial and industrial users and any other type of consumer not specifically provide for above, shall be subject to submission of design calculations for approval and to flow measurement and sampling to establish a unit value basis recognizing hydraulic and biological loading, and the Engineer shall assign the unit rating, which may be appealed to Council as provided in section 4 of this By-law.

Appendix B
Municipality of the County of Cumberland

Application to Construct or Modify a Building Service Connection

Name of Applicant: _____

Date: _____

Municipal Account Number _____

Civic Address: _____

Mailing Address: _____

Postal Code: _____

Telephone: Home _____ Work _____

Name of Contractor: _____

Type of building being connected: _____

New Installation Repairs to existing installations

I agree to the following conditions:

1. I will install/repair only a domestic sewage drain.
2. That the building service connection will be installed/repared in accordance to the Municipality of the County of Cumberland’s Sewer Connection By-law.
3. I will not cover this installation until written permission has been granted by the Engineer.
4. I will not cause the Municipality of Cumberland County to be held liable for **third party damages** in relation to this construction.

I _____ hereby make application to construct a sewer service connection or
(signature of owner or agent)

make repair thereto of which shall be serviced by the _____ central sewer
(village name)

system and have read, understand and agree to the above conditions.

Note: Applications for Industrial/ institutional connections must be submitted with completed copy of the Municipality’s “Waste Survey Report”.

John Burbine, Supervisor of Public Works
1395 Blair Lake Road,
Upper Nappan, NS B4H 3Y4
(902) 667-2215

12 votes YES
Deputy Warden Gilbert voted NO
MOTION CARRIED

5.4 Local Improvement By-Law

Justin Waugh-Cress and Andrew MacDonald reviewed Councils previous discussions and funding calculations for the funding of the local improvements.

IT WAS MOVED by Councillor Fletcher seconded by Councillor van Vulpen to approve first reading of the Local Improvement By-Law.

Municipality of Cumberland By-Law 20-0X

Local Improvement By-Law

WHEREAS section 81(1) of the Municipal Government Act provides that a municipality may make by-laws imposing, fixing and providing methods of enforcing payment for charge for local improvements, and

WHEREAS it is deemed expedient that such a by-law now be enacted:

TITLE AND APPLICATION

1. The By-Law is entitled the "Local Improvement By-Law", and shall apply to the local improvements identified in Schedule "A" of this By-Law, notwithstanding any other by-law of the Municipality that relates to local improvements.

PURPOSE

2. The Purpose of this By-Law is to establish the manner in which the Municipality shall impose, fix, and enforce payment of charges for local improvements. The local portion of capital costs associated with improvements will be funded through area rates or charges to be applied to defined properties that benefit from those improvements. The properties to be rated or charged shall be determined on a project by project basis and be included in, or added to, Schedule "A" of this By-law. The determination of the amount of the local portion of the capital costs, and the method of apportioning those costs between the properties affected, shall remain flexible to reflect the broader community interest in the projects.

DEFINITIONS

3. In this By-Law:
 - (a) "Council" means the Council of the Municipality;
 - (b) "Engineer" means the Municipal employee designated as Municipal Engineer pursuant to the Municipal Government Act;
 - (c) "Local Improvement" means and includes wastewater collection and treatment facilities, water systems, and roads and sidewalks and associated infrastructure installed, improved, constructed or extended by, or on behalf of, the Municipality;
 - (d) "Municipality" means the Municipality of the County of Cumberland
 - (e) "Owner" has the same meaning as in the Municipal Government Act, except where the context requires otherwise;
 - (f) "Property" means a parcel or lot of property or land;

CHARGE IMPOSED

4. Where a local improvement has been carried out by or on behalf of the Municipality in an area identified in Schedule "A" as amended from time to time, a tax is hereby levied upon every owner of real property situated in whole or in part within the identified area, except to the

extent that any lot or the owner thereof is totally or partially exempt from tax by the provisions in this By-Law, or the provisions of Schedule "A" of this By-Law.

AMOUNT OF CHARGE

5. The amount of tax levied pursuant to section 4 shall be determined in accordance with the provisions of this By-Law and of Schedule "A" of this By-Law and may be calculated based on:
 - (a) a uniform amount for each lot or parcel of land in existence or subsequently created by subdivision;
 - (b) the frontage of the lot on any street;
 - (c) the use of the lot;
 - (d) the area of the lot;
 - (e) the assessed value of property;
 - (f) any combination of two or more such methods outlined above or
 - (g) such other method as Council deems fit.

VARIATIONS IN CHARGES

6. The tax levied pursuant to this By-Law may be fixed at different rates for different classes or uses of properties and may be fixed at different rates for different areas or zones.

EXEMPTIONS FROM CHARGES

7. An owner of a property subject to a charge pursuant to Schedule "A" of this By-Law may request that Council grant an exemption from the charge on the grounds the property will not benefit from the Improvement. The only factor that Council may consider with regard to such a request is whether there are physical or legal impediments that will, now and in the future, prevent the improvement from benefitting the property in question. Even if the current owner does not intend to use the Improvement, if it can be used by a future owner, it shall be deemed to benefit the property. A request for an exemption shall be made by filing a written request with the Clerk of the Municipality. The request must include the reasons why the Improvement will not benefit the property. The Clerk shall inform the property owner of the date and approximate time Council will consider the request. The owner or their representative shall be given an opportunity to speak before Council decides whether to grant an exemption. The decision of Council shall be final.

APPROVAL OF PROJECTS

8. Council may proceed with a Local Improvement at its own discretion or in response to a petition that receives majority approval. Unless Council provides otherwise in Schedule "A" to this By-Law, majority approval means a positive response from the owners of more than 50% of the lots that would be subject to a charge pursuant to this By-Law, as identified by Municipal staff at the time the petition is being prepared.
9. Council may direct Municipal staff to initiate the petition process with or without a request from property owners that would be affected by a proposed local improvement. Municipal staff are responsible for preparing petition documents which will include a description of the Local Improvement, map of the proposed charge area, the estimated cost assigned to each property, and financing options, if any. The actual petition will be conducted by Municipal Staff who will send this information to owners representing each property by mail. The documents will include a letter explaining the process and will give owners an opportunity to vote YES or NO for the Local Improvement. The package will warn property owners that the figures provided are estimates only, and that the actual amount of the charge may vary from the figures provided. The package will also include a stamped return envelope and shall give owners at least 30 days to respond. In the event information relied upon by Council or staff when preparing or assessing a petition later proves to be wrong, the decision based on such information shall be as valid as if the information were correct.

LIEN and COLLECTION OF CHARGES

10.
 - (a) A charge imposed pursuant to this By-Law constitutes a first lien on the subject real property in the same manner and with the same effect as rates and taxes under the Assessment Act.
 - (b) A charge imposed pursuant to this By-Law is collectable in the same manner as rates and taxes and, at the option of the Treasurer, collectable at the same time and by the same proceedings, as rates and taxes.
 - (c) The liens against the real property become effective on the earliest of the date on which the interim charges are imposed or the Engineer files with the Treasurer a certificate that the cost of the improvement has been paid in full.
 - (d) Where a property subject to a lien is subdivided, the amount of the charge plus interest then unpaid shall be apportioned among the new lots according to the method set out for the relevant project in Schedule "A" to this By-Law.

INTEREST

11. Interest shall accrue on charges outstanding from the due date forward, at the same rate as for outstanding taxes.

INSTALLMENTS

12. If so provided in the relevant portion of Schedule "A" to this By-Law, the amount owing may be paid in equal annual installments, including interest, and the whole balance becomes due and payable without notice or demand in the event of default of payment of an installment.
13. The property owner shall have 30 days from the date their initial notice of amounts owing was mailed, to notify the Treasurer, in writing, whether or not an option to pay by installments has been selected. If the Treasurer does not receive written notification within the time allocated, the owner shall be deemed to have selected the annual installment payment option.

REPEAL OF PREVIOUS BY-LAWS

14. The "Local Improvement By-Law" adopted by Council on June 19, 2013 (By-Law 13-01), the "By-Law to amend schedule A of the Local Improvement By-law adopted by Council on September 3, 2014 (By-law 14.01), and the "Local Improvement By-Law" adopted by Council on January 24, 2018 (By-Law 18-01) are hereby repealed.
15. This Local Improvement By-Law replaces all previous Local Improvement By-Laws of the Municipality of the County of Cumberland.
16. All former Local Improvement By-laws of the Municipality are hereby repealed.

EFFECTIVE DATE

17. This By-Law shall come into effect on the day of publication.

Schedule "A"

1. MACCAN WATER MAIN EXTENSION

- (a) The project will involve the design and construction of a watermain from the current terminus of the Amherst Water Utility Watermain in Nappan to, and including, the community of Maccan. The project will include portions of Highway 302, the Trider Road and the Mines Road, as well as Riverside Drive, Station Street, Hillside Drive and Rink Street. The “identified area”, for the purposes of section 4 of this By-law is comprised of the properties identified by the PIDs listed in subsection (j) below.
- (b) For the purpose of this project and the relevant charges created by this By-Law, “developed property” and “developed properties” mean those properties identified by Council in this Schedule, as properties which are residential, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a potable water supply, and which can reasonably be served by this project.
- (c) Upon completion of the project an equal charge per developed property shall be calculated based on the net cost of the local improvement and the number of developed properties identified in this Schedule at that time. Based on pre-design estimates and currently identified developed properties, the total charge is estimated to be \$2,332.40 per property, but the actual amount of the charge will depend upon a confirmed calculation based on the actual cost of the project and the number of developed properties at the time of completion.
- (d) Property owners shall be given the option of paying the charge, plus interest at 5%, in equal annual payments amortized over 10 years. Each annual payment shall constitute a charge and shall be collectable as provided in this By-Law. Based on pre-design estimates and currently identified developed properties, the annual charge is estimated to be \$302.06 per property for the 10 years, for a total cost of \$3,020.56, but the actual amount of the annual charge will depend upon a confirmed calculation based on the actual cost of the project and the number of developed lots at the time of completion.
- (e) Council shall, from time to time, add properties to this Schedule as developed properties to be charged, if Council determines they have become developed properties which can reasonably be served by this project. Properties added to this Schedule shall be subject to an annual charge in the same amount and on the same terms as the other properties identified in this Schedule would have been subject to if the annual payment option had been selected. This charge shall commence the taxation year following the property’s addition to this Schedule, and shall continue for the balance of the 10 year period applied to the initial properties identified in this Schedule. For example, if a property is added during the year the fourth annual payment is due, the owner must begin paying the charge the next taxation year and continue for the following four years, paying five charges in total.
- (f) If Council is satisfied a development has been destroyed or removed, and that the property cannot be redeveloped due to reasons beyond the control of the owner (such as the Land Use By-Law or Provincial regulation), the property may be removed from this Schedule. The change shall become effective for the taxation year following Council’s decision.
- (g) If a property identified in this Schedule as a developed property is subdivided, Council shall determine which of the new lots shall be identified as developed lots.
- (h) All charges assessed are liens against the property regardless of whether the property is serviced by the local improvement or not.
- (i) Any costs associated with servicing properties beyond the end of the service laterals (generally considered to be where the road right of way ends) are the responsibility of the property owner, and that work must be carried out by the property owner in compliance with Amherst Water Utility Standards.
- (j) The following properties are hereby identified as developed properties for the purpose of this By-Law and Schedule and are subject to the charge created herein:

PID	Civic # and Road- for reference only
25068073	3005 Highway 302
25348202	3009 Highway 302
25348194	3011 Highway 302
25383076	3027 Highway 302
25067976	3031 Highway 302
25067968	3033 Highway 302
25067885	3069 Highway 302
25067950	3070 Highway 302
25067877	3074 Highway 302
25067844	3080 Highway 302
25067869	3083 Highway 302
25067836	3085 Highway 302
25067851	3086 Highway 302
25067828	3088 Highway 302
25067802	3095 & 3097 Highway 302
25067810	3099 Highway 302
25067794	3100 Highway 302
25064247	3106 Highway 302
25064254	3109 Highway 302
25064270	3114 Highway 302
25064288	3119 Highway 302
25064304	3120 Highway 302
25064312	3126 Highway 302
25064320	3129 Highway 302
25064684	3146 Highway 302
25064726	3152 Highway 302
25064742	3162 Highway 302
25064759	3166 Highway 302
25064775	3192 Highway 302
25064791	3194 Highway 302
25064809	3196 Highway 302
25064841	3253 Highway 302
25043043	3267 Highway 302
25064890	3304 Highway 302
25064908	3314 Highway 302
25064916	3324 Highway 302
25064924	3336 Highway 302
25064932	3341 Highway 302
25064940	3344 Highway 302
25367079	3356 Highway 302
25367061	3376 Highway 302
25376534	3389 Highway 302
25064965	3483 Highway 302
25064973	3524 Highway 302
25064981	3550 Highway 302
25065079	3583 Highway 302
25377581	3595 Highway 302
25064296	3611 Highway 302
25065152	3622 Highway 302
25065160	3656 Highway 302
25075094	3664 Highway 302
25065178	3705 Highway 302
25065178	3707 Highway 302
25384397	3713 Highway 302

25065202	3742	Highway 302
25065228	3776	Highway 302
25065210	3793	Highway 302
25065251	3822	Highway 302
25065277	3842	Highway 302
25340381	3856	Highway 302
25337627	3863	Highway 302
25065285	3866	Highway 302
25065335	3868	Highway 302
25065343	3882	Highway 302
25075136	3885	Highway 302
25065350	3902	Highway 302
25065368	3912	Highway 302
25366915	3936	Highway 302
25348244	20	Hillside Dr
25064429	28	Hillside Dr
25064411	30	Hillside Dr
25064437	33	Hillside Dr
25151002	38	Hillside Dr
25374679	44	Hillside Dr
25064361	63	Hillside Dr
25374687	64	Hillside Dr
25064346	69	Hillside Dr
25064338	75	Hillside Dr
25064395	78	Hillside Dr
25064783	81	Hillside Dr
25068099	1	Mines Branch Rd
25068107	5	Mines Branch Rd
25068115	17	Mines Branch Rd
25068123	19	Mines Branch Rd
25068131	21	Mines Branch Rd
25068016	30	Mines Branch Rd
25068149	10	Mines Rd
25477647	24	Mines Rd
25068164	54	Mines Rd
25229519	59	Mines Rd
25068180	64	Mines Rd
25068172	67	Mines Rd
25068198	77	Mines Rd
25358383	95	Mines Rd
25068222	119	Mines Rd
25343948	123	Mines Rd
25043142	133	Mines Rd
25068230	147	Mines Rd
25369828	152	Mines Rd
25067893	15	Rink St
25067901	21	Rink St
25067943	22	Rink St
25067935	30	Rink St
25064619	236	Riverside Dr
25064627	256	Riverside Dr
25064643	268	Riverside Dr
25064502	239	Station St
25064510	245	Station St
25064528	247	Station St
25064536	257	Station St

25064544	259	Station St
25064650	273	Station St
25047838	6	Trider Rd
25065087	7	Trider Rd
25065046	25	Trider Rd
25064601	200	Riverside Drive
25047838	6	Trider Road
25065087	7	Trider Road
25065046	25	Trider Road
25394008	63	Trider Road
25065020	64	Trider Road
25364704	78	Trider Road
25355017	81	Trider Road
25355025	107	Trider Road

2. PUGWASH WATER SYSTEM PROJECT

- (a) This Project relates to the design and installation of a Water System intended to serve the Village of Pugwash and some of the surrounding areas of the Municipality. The “area identified” for the purposes of section 4 of this By-Law is comprised of the developed properties that are accessed from the following highways, streets and roads, between and including the Civic Addresses indicated:

Ash Grove Lane	Entire road
Black Street	Entire road
Blue Heron Way	Entire road
Brickyard Road	Highway 6 to Civic Number 119
Church Street	Entire road
Crowley Road	Civic Numbers 2720 to 2866
Durham Street	Water Street to Highway 6
Freedom Lane	Entire road
Gulf Lane	Entire road
Gulf Shore Road	Church Street to Civic Number 599
Harbour View	Entire road
Highway 6	Civic Numbers 9711 to 11057
Howe Street	Entire road
Irishtown Road	Highway 6 to Civic Number 36
King Street	Entire road
Maple	Entire road
Mill Lane	Entire road
Miller Road	Civic Number 8
Murray Road	Civic Numbers 1139 to 1199, 1276, 1300, 1312, 1374 to 142
New Pugwash Road	Civic Numbers 1 and 49
Pleasure Cove Road	Entire road
Prince Albert Street	Entire road
Pugwash Point Road	Entire road
Pugwash River Road	Civic Numbers 1959 to 1983
Queen Street,	Entire road
Russell Street,	Entire road
Shea Island Road,	Civic 188
Sunset Lane,	Civic Number 140 (Sunset Home)

Victoria Street	Entire road
Walton Street	Entire road
Water Street	Entire road
Willow Lane	Entire road

- (b) In this section “Water System” means a water system consisting of the source, structures, pipes, flushing hydrants, meters, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping, treatment, or distribution of water.
- (c) For the purposes of the Pugwash Water System Project and the relevant tax created by this By-Law, “developed property” and “developed properties” mean those properties which are residential, commercial, institutional or industrial, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a potable water supply, and which can be served by the Project. Properties that have been developed solely for agricultural or forestry purposes, and which do not have a potable water supply, are not “developed properties” for the purposes of this section of this By-Law.
- (d) Upon completion of the Project, an equal tax per developed property, in the amount \$4,054.00 is hereby imposed pursuant to section 4 of this By-Law. Hereinafter this tax is referred to as a “Local Improvement Charge” or “LIC”.
- (e) A list of developed properties to be taxed pursuant to this By-Law shall be developed and maintained by the Engineer. The Engineer will notify by regular mail the owner, or owner’s representative, as identified in the current Tax Roll for the Municipality, of the imposition of the Local Improvement Charge upon completion of the Project. Lack of notification shall not invalidate any LIC imposed. Inclusion by the Engineer on the list of properties to be taxed, in the absence of an exemption or adjustment granted by Council pursuant to section 7, and subsection (f) of section 2 of Schedule “A”, of this By-Law, is conclusive of the validity of the LIC.
- (f) Property owners shall be given the option of paying the LIC, plus interest at 2.98% per annum, in equal annual payments amortized over 10 years. Each annual payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The annual charge shall be in the amount of \$ 461.03. The principal amount of any charge outstanding at any time may be paid without penalty or the accrual of additional interest.
- (g) Any property which becomes a developed property after the imposition of the initial charges pursuant to this By-Law shall be added to the list created pursuant to subsection € above, and a charge in the amount of \$4,054 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.
- (h) Any lot created by subdivision within the geographic area served by this project, and approved for any type of development that normally requires a potable water supply, shall be added to the list created pursuant to subsection € above, and a charge in the

amount of \$4,054 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.

3. PARRSBORO WASTEWATER COLLECTION SYSTEM EXPANSION AND TREATMENT PLANT PROJECT

- (a) This Project relates to the design and installation of a Wastewater System intended to serve the Community of Parrsboro and surrounding areas. The “area identified” for the purposes of section 4 of this By-Law is comprised of the developed properties that are accessed from the following highways, streets and roads, between and including the Civic Addresses indicated:

Western Ave.	Main St. to Civic 2054
Chambers Blvd	Civic 23
Maple Crt.	Entire road
King St.	Main St. to Civic 134 and Civic 189 to Western Ave.
Queen St.	Entire road
Sydney St.	Entire road
Stanley St.	Entire road
Stanley St. Extension	Entire road
Prince St.	Entire road
Victoria St.	Entire road
Howard Ave.	Entire road
Pleasant St.	Entire road
School St.	Entire road
Dominion St.	Entire road
Spring St.	Entire road
Main St.	Civic 18 to Civic 458
Chapel St.	Entire road
Church St.	Entire road
Moore St.	Entire road
Eastern Ave.	Civic 3842 to Main St.
Templar St.	From Eastern Ave. to Civic 79
Jenks Ave.	Entire road
Two Island Rd.	From Main St. to Civic 336
Pier Rd.	Entire Rd.
Eddy St.	From Pier Rd. to Civic 87
Skidmore Ln.	From Pier Rd. to Civic 94

- (b) In this section “Wastewater System” means a wastewater system consisting of the collection system, structures, pipes, pumping stations, plants, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping, or treatment of wastewater.

- (c) For the purposes of the Parrsboro Wastewater Collection System Expansion and Treatment Plant Project and the relevant tax created by this By-Law, “developed property” and “developed properties” mean those properties which are residential, commercial, institutional or industrial, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a sanitary sewer service, and which can be served by the Project. Properties that have been developed solely for agricultural or forestry purposes, and which do not generate wastewater, are not “developed properties” for the purposes of this section of this By-Law.
- (d) Upon completion of the Project, an equal tax per developed property, in the amount \$4,941.00 is hereby imposed pursuant to section 4 of this By-Law. Hereinafter this tax is referred to as a “Local Improvement Charge” or “LIC”.
- (e) A list of developed properties to be taxed pursuant to this By-Law shall be developed and maintained by the Engineer. The Engineer will notify by regular mail the owner, or owner’s representative, as identified in the current Tax Roll for the Municipality, of the imposition of the Local Improvement Charge upon completion of the Project. Lack of notification shall not invalidate any LIC imposed. Inclusion by the Engineer on the list of properties to be taxed, in the absence of an exemption or adjustment granted by Council pursuant to section 7, and subsection (f) of section 2 of Schedule “A”, of this By-Law, is conclusive of the validity of the LIC.
- (f) Property owners shall be given the option of paying the LIC, plus interest at 3.40% per annum, in equal annual payments amortized over 20 years. Each annual payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The annual charge shall be in the amount of \$ 345.00. The principal amount of any charge outstanding at any time may be paid without penalty or the accrual of additional interest.
- (g) Any property which becomes a developed property after the imposition of the initial charges pursuant to this By-Law shall be added to the list created pursuant to subsection € above, and a charge in the amount of \$4,941.00 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.
- (h) Any lot created by subdivision within the geographic area served by this project, and approved for any type of development that normally requires a connection to a wastewater system, shall be added to the list created pursuant to subsection € above, and a charge in the amount of \$4,941.00 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.

11 Votes YES
Deputy Warden Gilbert Voted NO
One Councillor did not Vote
MOTION CARRIED

Warden Gillis dropped off the call at 7:25

- 5.5 Amendment to Land Use By-Law to Rezone PID 25337460, 467 MacDonald Road, Upper Nappan, NS
IT WAS MOVED by Councillor Fletcher seconded by Councillor Porter to approve first reading of the Land Use By-Law Amendment to Rezone PID25337460, 467 MacDonald

Road, Upper Nappan, N.S., from Lower Density Residential to General Commercial to allow change in use to commercial office space.



5.5

MEMORANDUM

TO: Warden and Council
FROM: Will Balsler, Junior Planner, Development Officer
DATE: April 15, 2020
RE: **First Reading on amendment to Land Use Bylaw to rezone PID 25337460, 467 MacDonald Road, Upper Nappan**

Background: On March 16, 2020, Planning and Development staff received an application from Star Atlantic Holdings Inc. Director Rajan Chugh (the "applicant") regarding the property at 467 MacDonald Road, Upper Nappan - PID 25337460 (the "subject property").

The subject property is owned by Star Atlantic Holdings Inc. and is located behind the Cumberland Regional Health Care Centre, fronting on both MacDonald Road, and Burns Drive. The application is for a rezoning to permit the change in use from a Multi-unit Dwelling to commercial office spaces.



**No Objections
MOTION CARRIED**

6. BUSINESS ISSUES**6.1 Tax Collection Reports for January, February and March 2020.**

Andrew Mac Donald Director of Finance reviewed the Tax Collection reports which were included in the meeting material. Each councillor had the opportunity to comment.

Warden Gillis returned to the call at 7:32**6.2 Department Updates in Relation to Covid19**

The CAO and the Directors provided verbal updates to Council on actions undertaken by staff in relation to Business Continuity and Health and Safety during COVID 19.

Council praised the CAO and staff for stepping up and going above and beyond with their hard work time and effort during this trying period.

6.3 Cumberland REMO

The REMO Coordinator provided a written update regarding COVID 19 which was included in the meeting material.

6.4 Virtual Meetings

Shelley Hoeg, Communications and Executive Assistant to the CAO provided Council an update on the preparations being undertaken to arrange virtual meetings and Public Hearings.

6.5 CJSMA

Deputy Warden Gilbert took part in a Northern Region meeting today discussing sending a letter to the Department of Environment asking for a variance to handle our recycling.

IT WAS MOVED by Deputy Warden Gilbert seconded by Councillor Fletcher to give authority to the three Council representatives on the CJSMA Board and the Warden and the CAO to provide a recommendation regarding Cumberland's position on the appropriate variance on processing recyclables.

**No Objections
MOTION CARRIED**

6.6 Garbage Cans Springhill

Councillor Williams asked if the garbage cans could be put out right away in Springhill because people are dropping their Personal Protective Equipment, namely masks and gloves, on the parking lots. Director of Engineering and Operations will consult with relevant parties to identify the best procedure.

Councillor Williams also asked that the proposed Drop Box for payments could be installed in Springhill very quickly as he has receive many inquiries about payment methods from residents.

6.7 Glooscap Campground

Councillor Chase has received inquiries from residents who are concerned because they cannot access their trailers at Glooscap Campground. It is a Provincial Order to close all campgrounds. Steve will contact Councillor Chase to discuss this.

Director of Finance Andrew MacDonald clarified that the Budget meeting scheduled for April 22, 2020 will be postponed until April 29, 2020.

7. INFORMATION ITEMS

There are no Information items for today's meeting.

8. ADJOURNMENT

8.1 Adjournment

The meeting was adjourned at 8:11 p.m.

Warden Allison Gillis

Municipal Clerk Brenda Moore