

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 September 9, 2020 Council video meeting via Zoom. This meeting was also streamed live on Facebook.

1. CALL TO ORDER

1.1 Warden Al Gillis called the September 9, 2020 Council session of the Municipality of the County of Cumberland to Order at 6:00 p.m.

1.2 Roll Call

Municipal Clerk, Brenda Moore, called the roll with the following Councillors present: Councillor Joe Van Vulpen, Warden Al Gillis; Councillor Welton, Councillor Barb Palmer, , Deputy Warden Ernie Gilbert, Councillor Mike McLellan; Councillor Don Fletcher; Councillor Doug Williams, Councillor Maryanne Jackson; and Councillor Norman Rafuse.

Absent with regrets: Councillor Paul Porter; Councillor Marlon Chase, Councillor Dan Rector

Staff present: Rennie Bugley, Chief Administrative Officer; Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh Cress, Director of Operations and Engineering; Shelley Hoeg, Communications and Executive Assistant to the CAO; Amanda MacLeod, Manager of Community Economic Development, Dannie Sampson, IT; and Brenda Moore, Municipal Clerk who recorded the meeting.

Media representatives present:
Bill Martin, Six Rivers News;

2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1 Approval of Agenda

The agenda was approved with the following additions

2.2 (i) Public Sewer By-Law

All comments submitted to the Municipality by residents concerning the Public Sewer By-Law were compiled into one document and distributed to Councillors in the meeting material.

Warden Gillis called the Public Hearing to order at 6:06 p.m. Justin Waugh Cress, Director of Engineering and Public Works reviewed the intention of the by-law.

The Warden asked if there were any written submissions from the public. The Clerk read the submissions.

The Warden asked if there were any members of the public that wished to speak to Council on the Public Sewer By-Law

Mr. Steven Johnson made comment on the Public Sewer and Local Improvement by-laws at this time.

The Warden then asked if there were any questions or comments from Councillors.

Staff responded to the questions of Council
The Warden closed the Public Hearing at 6:36 p.m.

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. There 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.

(ii) Local Improvement By-Law

All comments on the Local Improvement By-Law submitted by residents to the Municipality were compiled into one document and distributed to Councillors in the meeting material.

Warden Gillis called the Public Hearing to order at 6:37 p.m.

Justin Waugh Cress, Director of Engineering and Public Works reviewed the intent of the Local Improvement By-Law.

The Warden asked if there were any written submissions from the public. The Clerk read the submissions.

The Warden asked if there were any members of the public that wished to speak to Council on the Public Sewer By-Law

Mr. Steven Johnson made comment on the Public Sewer and Local Improvement by-laws at the previous hearing and felt it was sufficient that Council heard his comments once.

The Warden then asked if there were any questions or comments from Councillors.

Hearing none the Warden closed the Public Hearing at 6:55 p.m.

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 "Owner" has the same meaning as in the Municipal Government Act, except where the context requires otherwise;
 - (e) "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 (c) 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 (e) 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 (c) 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 (e) 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*.

All written submissions received were included in the council package that went out the week prior to the meeting and are attached as Addendum A to these minutes.

8. ADJOURNMENT

8.1 Adjournment

The meeting was adjourned at 6:55 p.m.

Warden Allison Gillis

Municipal Clerk Brenda Moore

Addendum A

Summary of comments and questions from residents re public sewer and local improvement by-laws

		May 15, 2020 Modified Aug 31, 2020
Sender	Question / Comment	Response
<p>Glenda/Charles Parker Email May 13</p>	<p>This is a concern regarding the sewer situation in Parrsboro NS. The fact that was a budget of approximate 8. Million and it was a inviroment concern why was it not put down Whitehall where their is a raw sewage problem instead of an extension on Queen Street and out Western Ave</p> <p>The other concern why there was a cost over run on the budget of approximate 4.4million. How did this ever get approved, and why the home owner is to be held hostage ???</p>	<p>The decision to not to extend to Whitehall was made based on our Consultant’s structural assessment of the bridge to Whitehall, their assessment identified that additional collection pipes could not be added to the bridge without significant upgrades.</p> <p>Residents that operate on site wastewater systems are responsible for their function. The on site program is operated and enforced by the Nova Scotia Department of Environment.</p>
<p>Dawn McCully Letter to DMA</p>	<p>May 11th 2020 Department of Municipal Affairs Halifax Re:Municipality of Cumberland County We are writing to express our thoughts regarding the way our municipality is conducting its affairs. They recently posted notice of a so-called public hearing finishing on May 15th with Council’s decision on May 20th. The purpose of the hearing is to discuss three proposed by-laws, two of which concern us greatly. The paragraphs causing unease are as follow: Public Sewer By-Law 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. Local Improvement By-Law CHARGE IMPOSED</p>	

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.

These two proposed by-laws are repugnant. They both appear to give the municipality carte blanche to charge the end user and only the end user for capital costs not funded by any levels of government. This seems to be a draconian way of dealing with shortfalls in capital costs. Surely we don't live in a "user pay" society. Rather, we live in a society where costs of capital projects with broad public benefit are shared municipality wide, province wide or even country wide. We question the legality of such a by-law giving the municipality the power to complete projects and then charge the end user without any requirement for public discussion. Capital costs are shared costs; operational charges are something different.

These proposed by-laws relate directly to sewer levies made in Parrsboro last year. We know our MLA Tory Rushton has been in contact regarding the specific situation with the proposal to charge 425 households and businesses with the capital cost of the Parrsboro Treatment Plant. This is a prime example of how this by-law can be abused.

While on the subject of how capital costs are funded we draw your attention to how a similar situation was handled for Cape Breton Regional Municipality. It is interesting to note at the end of March 2020 the province agreed to add an additional \$26.2 million to the \$32.6 million already agreed which means the CBRM treatment plant is now fully funded by government. All Cumberland County needs to rectify the situation is \$4.4 million. Surely the province will recognize it is hardly fair to foist this charge on 425 households and businesses? We would ask two things. Firstly, that the public hearing be postponed until it can be genuinely public, however long that takes. Secondly we ask the province reconsider

<p>Email May 12</p>	<p>and provide the additional funding needed to cover the shortfall.</p> <p>We look forward to your response.</p> <p>Steve Johnson Rosemary Rowntree</p> <p>I fully support this letter as a tax payer in the effected area of Parrsboro . (ltr to DMA)</p>	
<p>Dawn Mccully May 12 email</p> <p>On May 11email</p>	<p>Just one more late question where is the transitioning funding from when we amalgamated into the county and how much money exactly is that ?</p> <p>Why could this not be used to off set the debt that you folks have left Parrsboro with</p> <p>If it has been spent all ready where and how much has been used .</p> <p>Warden Gillis and council of the Municipality of Cumberland , My name is Dawn Mccully and I am writing to you today in regards to the purposed sewer bi-law for the parrsboro area.</p> <p>>> I have a few concerns in regards to this matter . One simply being the fact of the gross burden that has been put on the tax payers in our area for the huge over budget that was forced upon usThere has still been no real explanation as to why the project was extended to the Western Ave area that did not need this service due to the fact that all houses in that area have private septics and there is no sewer from this area running into the harbour .</p> <p>How much less would this project have been if the western ave area was not included ?</p> <p>Would we have fallen into a more reasonable budget ?</p> <p>There are appeal processes .</p>	<p>See APPENDIX A</p> <p>Residents are welcome to use the appeal process laid out within the by-laws. The Local Improvement By-Law is drafted to be applied to all developed properties that have access to the sewer collection system at a flat rate. If property is levied the local improvement charge incorrectly we would resolve the error. The local improvement charge is intended to recover the portion of the capital debt not paid through the general tax rate.</p> <p>The appeal process in the public sewer by-law is also available to all residents.</p> <p>Section 35 of the Public Sewer By-Law respecting that the by-law is not able to predict all possible industry or business that may generate waste. It allows the municipality to deal directly with the concern and come to an agreement to allow the use of the wastewater infrastructure. Agreements would not allow materials to be discharged into the wastewater system that would compromise the system’s ability to meet mandated Provincial and Federal discharge standards.</p>

	<p>Will I be able to appeal the fact that I have my own septic and this was an unnecessary addition to the project ?</p> <p>Could you please provide clarification on section 35- special agreements?</p> <p>Another issue I have is the fact that I have a proper functioning septic system on my property. Why would I be forced to connect to the municipality's sewer if my sewer is not running into the harbour or impacting the environment?</p> <p>I have concerns as well about how unpaid sewer bills will be treated the same as unpaid property tax . This is not right. I know factually that you have all been made aware that so many low income homes and seniors will struggle tremendously trying to come up with both your property taxes and the outrageous sewer taxes . I do understand that there is a relief program for really low income homes however someone making more than the capped amount with a few children will be struggling just as much as a single person making less money . >> I just want to finish by saying how absolutely disappointed I am that our area has been so misrepresented and let down by people that were to be trusted with the best interest of ALL of the citizens of this area . >> Thanks for your time . >> Dawn Mccully</p>	<p>At this time the Municipality has no plans to compel residents with properly functioning onsite systems to connect to the collection system.</p>
<p>Sabine</p>	<p>When Parrsboro and Cumberland County amalgamated Parrsboro came in with a plus of around 800,000 if I remember right. Was that money applied to our new sewage system or spent otherwise?</p>	<p>See APPENDIX A</p>
<p>Sabine Sent last year and re-sent this year</p>	<p>To the Council of Cumberland Municipality regarding Parrsboro's sewer system</p> <p>We have concerns about the fairness of the sewer charges for different reasons.</p>	<p>The public sewer by has been revised based on public comment to provide Council the ability to levy a metered sewer service charge. Section 14 and 15 of the Public Sewer by-law provide for this.</p> <p>Upon review of this comment I propose the following be added to and amended to section 15 of the Public Sewer Bylaw.</p>

	<p>There should be not just a unit system in total:</p> <p>There should be a low basic charge for anybody who has or could have access to the sewer line (access fee) and a charge by water usage from the fresh water meter.</p> <p>The charges should occur quarterly together with the fresh water bill.</p> <p>This would make sure that everybody would pay for the new system and a fair price for water they put into the system.</p> <p>I am generally disappointed of the lack of empathy to the citizens of Parrsboro, where many people cannot effort such an amount and even the rabat of around 300 \$ per year doesn't make a difference. Why shouldn't the citizen who saves water be rewarded for it too.</p> <p>There should be a high fine for those properties who still let their sewage into the Bay of Fundy or don't have a working sewage field.</p> <p>I bet if you dear council members would have had to face the new charges you would have planned more diligently to spread the charges fairly.</p> <p>Other Concerns:</p> <p>Our house is built 11 m from the middle of the street. On our side the road there is a hard dip (over the full width of this road side). Every time a pick up truck, delivery truck or even bigger or a vehicle with a trailer drives into it-it's unavoidable- we experience a little earthquake because the house is shaking more or less depending how heavy and/or fast the vehicle was going. That happens many times per day, Western Avenue is a busy street. First aid would be a warning sign of rough road section a little more tar would do a great job to fixing it temporarily.</p> <p>I am serious about this problem because all that shaking of structure of the building cannot not be good for it and the noise developing every time is becoming unbearable.</p> <p>West Bay Road has to be grated more often, it's scaring tourists away.</p>	<p><i>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 Water Utility consumption of sewer system users. (1) Every owner of property who is a user of the sewer system 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. (6) Properties in the area levied a Metered Sewer Service Charge that are unconnected to the sewer system shall pay a flat rate sewer charge. This rate shall be established annually. (7) The Metered Sewer Service Charge shall be included on the quarterly Water Utility billing. (8) Flat rate sewer charge for vacant or unconnected properties shall be included on the annual property tax bill.</i></p>
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	<p>Christian and Sabine Schoene,</p>	
<p>Rosemary Rowntree</p>	<p>Brenda, thank you for this information. Our prime reason for asking for a postponement was to avoid the additional emotional stress on a population already stressed to the max with the tragedies of a week ago. We are however, also concerned about a "public hearing" that is not public. Your work to alleviating the situation is appreciated.</p> <p>I am copying our Board of Directors on this email. Rosemary Rowntree</p>	
<p>Rosemary Rowntree letter and email from Parrs board of trade April 28 2020</p>	<p>Municipality of Cumberland County (Delivered by email) Councillors and Staff</p> <p>Re: Public Hearing <u>Draft Sewer By-Law</u></p> <p>There are a number of points in the draft By-Law where we would like further discussion or amendment before it is passed into law.</p> <ol style="list-style-type: none"> 1. <u>Capital Charges</u> As we understand the wording, capital or construction costs not already funded, will be borne by those using the new project. However, this is contrary to all the infrastructure precedents that are now the norm in our society. Costs for capital projects that are a public benefit are shared by the public. For example, if a new school were to be built in Parrsboro, the construction cost would not be passed to the children who attend or their families. It would be shared by all because we value an educational system that requires schools. Similarly, on a municipal level, if new street lights were installed, the houses on that particular street would not bare the unfunded burden of the installation. It would be totally funded by public monies because we value the safety and security provided by lighting. Because our sewage no long flows directly to the Bay, we all (the County, the Province and the Country) benefit. 	

	<p>2. <u>Metered Sewer Charges</u> Water meters are in place and remain unused. This should immediately become the basis of the sewer service charge. There is a direct correlation between water in and sewage out.</p> <p>3. <u>Unpaid Sewer Capital Charges</u> Sewer charges are utilities and should not be treated in the same manner that taxes are treated if unpaid.</p> <p>We would appreciate communication from you as soon as possible on these issues. We have already requested a postponement of the “public” hearing and we see that now the item on your website has been removed. Thank you! Sincerely,</p> <p>O. Rosemary Rowntree President Parrsboro & District Board of Trade</p> <p>Email comments: We are also very worried about the approval to charge sewer users 50% of the under-funded portion. Given that the province was willing to cover CBRM's very large portion of a new sewer system, we'd like that avenue of funding re-opened. And, as this is a federally mandated project, renewed application, with vigour, should be directed to them.</p> <p>Is it possible to bring all concerned parties (Municipality, Provincial and Federal Governments, and our community) to the table to work out a solution to this very pressing problem?</p>	
<p>Stephen Johnson</p>	<p>I am a resident of Parrsboro and my home is connected to the new sewage system.</p> <p>You are asking us to comment on a by-law that gives no indication of the financial impact of said by-law. What will the "Sewer Service Charge" be and what will be our annual contribution to the capital cost?</p>	<p>The Public Sewer By-Law sets out the manner in which sewer service charges or metered sewer charges are calculated, assigned to properties and how they are collected. The value of the charges are set annually by Council as part of the budgeting process in the same manner as a tax rate would be set. The intent of the charge is to fully pay for the operation of the sewer systems.</p>

	<p>You will effectively be making this decision "in camera" due to the current lockdown. I suggest, nay I demand you defer discussion of this proposed by-law until such time as the meeting can be public in every sense of the word.</p> <p>It seems the public meeting held to glean public input was little more than a facade. None of the concerns expressed during the meeting I attended have been addressed.</p> <p>The installation of the new waste water treatment plant made no direct difference to us. We still flush our toilets in the same way! However the new plant does make a huge difference to us as a resident of Parrsboro, Nova Scotia and indeed Canada. To impose the capital cost of the plant on only those using it is obscene. It is a benefit to the population as a whole.</p> <p>I have no objection to a "Uniform Sewer Charge" but I have a very strong objection to the way the capital cost of the new waste treatment plant is proposed to be handled.</p> <p>We do not live in a "user pay society". Our infrastructure costs are shared. The waste water plant should be no different. For example, schools are a provincial responsibility. If a new school is built in Parrsboro the capital cost is shared provincially, not shared between the families of the children who attend the school. Waste water is a municipal responsibility and as such the capital cost of any new facility should be shared by all the municipality. If there is a short fall go back to the province and/or the federal government. That is the type of society in which we live.</p> <p>I have spoken to a number of Parrsboro residents who are not hooked up to the town sewer system and they have all indicated their agreement the capital cost should be shared across all residents of the municipality.</p>	
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	<p>This proposed by-law is dangerous. It will give the municipality carte blanche to charge the capital cost of any new system to only those using it.</p>	
<p>Harvey Lev</p>	<p>Re; Proposed sewer & local improvement by-laws I hope this finds you well, i see you are keeping busy fighting the battles.</p> <p>i will try to be concise i do not really understand how the county can pass a new by-law for existing infrastructure.</p> <p>I do not really understand how there can be a provision for petition or referendum for projects (as mentioned) that are already in place.</p> <p>i do not understand how only some capital costs are spread out to the whole county and others localized.</p> <p>If we in Parrsboro are expected to pay for these capital costs then conceivably we should not be expected to pay for costs incurred for the benefit of Springhill, Oxford, Pugwash or anywhere else in the county, which nullifies the reason for a county government.</p> <p>This by-law seems to ask the residents of Parrsboro to cover the costs of infrastructure that other villages do not have to, perhaps because their infrastructure was done before or is not government regulated.</p> <p>We no doubt are required to pay a share of fixing a road near Oxford and we may have already paid for a sewer system in Avocate Harbour or some other communities. etc.</p> <p>for a business in Parrsboro these extra costs need to covered over a 4 month period, as basically the town does not exist from an economic point of view from Oct. to June added to this the commercial sector will not have any income in the coming months .</p> <p>The bridge over the Aboitteau needs to be replaced and has been delayed for a number of years and is scheduled to be done. Who will pay for that, the logic</p>	<p>The Local Improvement by-law that received first reading proposes a flat rate charge across all developed properties.</p> <p>The Local Improvement By-Law is general to every capital project the municipality has undertaken or will undertake. The section describing petitions is in place to give Council the ability to use that option when they deem appropriate. Schedule “A” is update to include new project when Council decides to levy a local improvement charge.</p>

	<p>of this by-law is that the people who use the bridge to get to their homes, cottages and commerce will pay.</p> <p>The harbour is in serious default and work on it has been delayed for the last 2 years while engineers try and figure out a plan. I guess that the fishers and the Force will be required to pay for that.</p> <p>Rumour has it that a new town hall is about to be announced. Will it be only the residents of Parrsboro that will pay that one.</p> <p>West Bay road has potholes that can and does occasionally swallow a car whole, and is in such disrepair that the fuel suppliers suggested that we add enough extra storage tanks to last from December through to the end of March.</p> <p>When the county decides to repair the road, known locally as 'The Road From Hell ' which is in planning or process, will only the residents be expected to cover the costs of improvement and repair. The list can go on forever.</p> <p>As to a sewer tax/fee, we already pay one. Will this increase?</p> <p>Does the county intend to measure the waste?</p> <p>Is it the intention of the county to encourage property owners to hide their toilets to avoid the extra costs of multiple facilities.</p>	
<p>Ernie Gilbert</p>	<p>I just received a call from a resident of Parrsboro asking why all units are not expected to pay the same improvement charge, I said I would pass on the concern and would reply with the reason He pointed out that a single family dwelling (1 unit) is proposed to pay \$761, while a 4 unit apartment would pay \$502 per unit, and a 10 unit apartment would pay \$450 per unit. I was trying to get the average amount that all the other sewer system residents had to pay so I would know what is fair for this system's residents to pay,</p>	<p>The memo "Parrsboro Wastewater Local Improvement Charge" dated March 27 is attached as APPENDIX E. This provides current discussion on the this.</p>

<p>Jen Morgan</p>	<p>I am writing to express my thoughts regarding the way our municipality is conducting its affairs. They recently posted notice of a so-called public hearing finishing on May 15th with Council’s decision on May 20th. The purpose of the hearing is to discuss three proposed by-laws, two of which concern us greatly.</p> <p>The paragraphs causing unease are as follow: Public Sewer By-Law Capital Charges</p> <p>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.</p> <p>Local Improvement By-Law CHARGE IMPOSED</p> <p>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.</p> <p>These two proposed by-laws are repugnant. They both appear to give the municipality carte blanche to charge the end user and only the end user for capital costs not funded by any levels of government. This seems to be a draconian way of dealing with shortfalls in capital costs. Surely we don’t live in a “user pay” society. Rather, we live in a society where costs of capital projects with broad public benefit are shared municipality wide, province wide or even country wide.</p> <p>We question the legality of such a by-law giving the municipality the power to complete projects and then charge the end user without any requirement for public</p>	<p>The Municipality has the legal authority to approve the by-laws proposed. The specific sections referenced by the resident are not changed from the existing versions Public Sewer and Local Improvement by-laws.</p> <p>The attached letter from Minister Porter enables Municipalities to conduct meetings and business of Council remotely.</p>
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	<p>discussion. Capital costs are shared costs; operational charges are something different.</p> <p>These proposed by-laws relate directly to sewer levies made in Parrsboro last year.</p> <p>While on the subject of how capital costs are funded we draw your attention to how a similar situation was handled for Cape Breton Regional Municipality. It is interesting to note at the end of March 2020 the province agreed to add an additional \$26.2 million to the \$32.6 million already agreed which means the CBRM treatment plant is now fully funded by government. All Cumberland County needs to rectify the situation is \$4.4 million. Surely the province will recognize it is hardly fair to foist this charge on 425 households and businesses?</p> <p>We would ask two things. Firstly, that the public hearing be postponed until it can be genuinely public, however long that takes.</p> <p>Secondly we ask the province reconsider and provide the additional funding needed to cover the shortfall</p>	
<p>Parrs Board of Trade</p>	<p>County of Cumberland</p> <p>The call for a “public hearing” at this time is unconscionable. We ask that the hearing process be postponed indefinitely.</p> <p>Our community, the whole province, is reeling from the tragic events of last weekend. People here are obviously very concerned about anything dealing with the sewer system, but right now do not have the emotional energy to put thoughts on the matter together.</p> <p>Also, until a public hearing can be public in the true sense of the word, we ask that this process be held only once COVID 19 restrictions have been lifted and we can meet and discuss this as a real public hearing. You may well have received permission to hold hearings in this closed-door fashion, but still the fairness and transparency that the County professes should be upheld.</p> <p>Could we please discuss this so that a satisfactory resolution might be reached?</p>	<p>The option of postponing the public hearings will be put before Council prior to the Public Hearings being held</p>

	<p>Sincerely, O. Rosemary Rowntree President Parrsboro and District Board of Trade</p>	
<p>Lloyd Smith</p>	<p>I am interested in speaking to council on the “Parrsboro Wastewater Collection System Expansion and Treatment Plant Project” section of this by-law. Within this presentation I will be also referring to a document named “Parrsboro Sewer Funding Options” dated 27 Feb 20.</p>	<p>Referenced document “Parrsboro Sewer Funding Options” has been attached for reference as Appendix D . This was our initial discussion on subsidising through the general rate. This Memo is superseded by the memo “Parrsboro Wastewater Local Improvement Charge” March 27, 2020 (also attached APPENDIX E).</p>

Summary of comments and questions from residents re public sewer and local improvement by-laws #2 May 15 2020

Sender	Question / Comment	Response
<p>Heather Meyers</p>	<p>One resident’s concerns regarding proposed sewer by-laws</p> <p>The Reason and Methods used for Cap Cost Projects- Costs for capital projects that are to the public benefit are best shared by the public. When a new school is required in an area, the construction cost is not borne by only those with children registered at said school, or the families of those who will be attending when they reach the pre-primary age. It is shared by all due to the value of providing education. The bylaws regarding sewage and costs of sewage also benefit society as a whole. Raw sewage longer flows directly to the Minas Basin. There is less pollution flowing into the ocean. All residents benefit in the county reap benefit from this, the positive benefit is not felt only by people of Parrsboro. It would therefore stand to reason that as a benefit which is shared by all in the county, the costs associated with this benefit should also be bourne by all in the county.</p> <p>Metered Sewer Use Charges - Water meters are in place and have yet to be used for water consumption charges. As there is a direct correlation between water in and sewage out these could be used as the basis for the ‘user fee’ of the sewer itself. The meter readings should immediately become the basis of the sewer service charge.</p> <p>On a related note sewer charges are utilities and should not be treated in the same manner that property taxes.</p>	

	<p>Clear consultation process - Lack of requirement to consult with users or obtain approval for projects and costs. The residents are not at fault for these overages. The respective levels of government which approved a grossly under-estimated project bare this responsibility. As such any over-runs are not the fault of the citizens. One of the main reasons amalgamation was touted as the ‘only option’ was due to the ‘overwhelming cost’ of the sewage project being put onto the residents of Parrsboro. Amalgamation was supposed to prevent this heavy burden from being foisted onto the population that cannot afford it. Yet, here the residents stand with the bill that was 1.5x over budget.</p> <p>Responsibility for approving a grossly underestimated project lies entirely of the respective signatories’ levels of government (municipal, provincial, and federal) the amount over-budget is entirely their responsibility and not to be shouldered by the Parrsboro residents.</p>	
<p>David Beattie Email May 15</p> <p>Gillespie House Inn Two Islands Brewing 358 Main Street 169 Main Street Parrsboro, NS, B0M1S0 Parrsboro, NS, B0M1S0 902-254-3196 902-728-2221 www.gillespiehouseinn.com www.twoislandsbeer.ca</p>	<p>Hello Brenda,</p> <p>Please find attached a letter that outlines our comments and concerns regarding the proposed Public Sewer By-Law.</p> <p>Thank you, David Beattie</p> <p>Letter: RE: Proposed Public Sewer By-Law As are the owners of properties located at 358 Main Street and 388 Main Street we wish to lodge our concerns regarding the proposed Public Sewer By-Law. We are a small seasonal tourism business that works hard to survive in this small community in a region with a very short tourism season. The margins of profit for most small businesses in small rural communities is very slim. We have been in business in Parrsboro for over 20 years and have reinvested significantly in our properties and our community, and as such, have serious concerns about the added annual costs that would result from this proposed By-Law.</p> <p>Our concerns can be summarized as follows:</p>	<p>Based on public consultation Council has requested that options be included in the Public Sewer By-Law to establish a metered sewer service charge. This will divide the operating cost of the sewer system between the users based on their metered water usage. There will not be differential metered sewer service charges based on usage of property.</p> <p>The municipality has recently moved to prepaid debit options for residents.</p>

	<p>The determination of user unit values for fixed roof accommodations are based on data from various publications that all suggest that for every two guest rooms the water consumption is equivalent to one average household. This is based on the assumption that hotels have an average occupancy rate of 70%. However, accommodations in rural areas of Cumberland County have a very short tourism season and have annual occupancy rates of less than 35%, half of the assumed basis for assigning a unit charge for every 2 guest rooms;</p> <p>Will properties offering Airbnb type short term rentals be treated the same as “official” fixed roof accommodations – the proposed By-Law seems to include these properties in the definitions, but other levels of government have been ignoring short term rentals;</p> <p>Basing water rates and sewage fees on tap counts is a totally arbitrary approach that bears no correlation with the volume of water consumed or discharged. Since meters have been installed in serviced areas of Parrsboro, will fees be based on consumption;</p> <p>All residents of Parrsboro benefit from installation of sewage service and waste water treatment system – should not the capital costs be shared by all who benefit?</p> <p>The determination of user unit values is another example of how the Municipality does not appear to value the contributions of small businesses in our communities, which we find very discouraging. Small businesses create employment, buy goods and services from other local businesses, and support community organizations and events. And yet the Municipality seems to only impose more fees and taxes on business.</p> <p>This will be a very difficult year for most businesses and some may close. While several supportive programs have been offered by Federal and Provincial governments, we have not seen any efforts to support struggling businesses from the Municipality. One way to ease the cash flow crunch for businesses at little cost to the Municipality would be to offer an interest free monthly installment plan for paying property taxes and</p>	
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	<p>fees, either by direct withdrawal or a series of post dated cheques. Thank you for your consideration. Sincerely, David Beattie</p>	
<p>Maple Inn May 15 2020 Johannes Hiesberger</p>	<p>Dear Brenda! Please find attached our concerns about the new public sewer by-laws for the next council meeting.</p> <p>RE: Public Sewer By-Law</p> <p>Dear Warden, Councillors We would like to send you our concerns with the new Public Sewer by Law. We own the Maple Inn in Parrsboro (2358 Western Ave.) and are a small seasonal (May to October) business. The business (because of the short season) is not very profitable. Our concerns are: The assumption that we operate on a 50 to 70 % occupancy rate year around is wrong. The only time we achieve this is in July and August. Year around we have an occupancy rate of 33 %. With these new by Laws we would have to pay for every room Vz sewer rate also for the time we are closed. It would be more fair to charge a sewer fee based on water consumption. Why did we change all the water meters if we still not charged on usage?</p> <p>The determination of user unit is again a sign how less the municipality is taking care of small businesses. We are the one's who employ people from the area, buy locally (and support other businesses, support charities, etc.) The only "help" we get from the municipality is more taxes and fees for businesses (instead of sharing the costs with all residents of Parrsboro and area)</p> <p>We are also concerned that Air BnB will not be charged a ½ rate for every room the advertise. (+ one rate for the property) We think that everybody in Parrsboro and Area benefit from the installation of the sewer (no smell, no untreated raw sewage in the bay, etc ..) so the cost should be shared by everybody.</p> <p>Also we object that the sewer rate will be on the tax bill. This is not a tax. Water is also billed separately. Why should be the sewer rate treated differently?</p>	<p>See above regarding metered rates.</p> <p>The Municipality will continue to work with the Province and Federal government to try and find some relief for Parrsboro residents.</p>

	<p>Our last suggestions would be to go after the provincial and federal government for the overrun of the costs for the sewer plant. Cape Breton Regional Municipality got a part refunded from the Province</p> <p>We hope that you will take our suggestions into your decision making and remain</p> <p>sincerely yours</p> <p>The Maple Inn</p> <p>Johannes Hiesberger</p>	
<p>John Tyler Email May 15</p> <p>Email May 15</p>	<p>Introduction.</p> <p>As a homeowner who is interested in the potential for new Business and Tourism in the Parrsboro area and as a resident who is excited to see the positive growth in the local real estate market, I have great concerns over the counter-productive efforts of the council members and the intentions of the people who have brought forward proposals like the item discussed here. This is very important and demands your attention as a resident of Parrsboro. This is also important to residents of Cumberland County and the Province of Nova Scotia as a whole.</p> <p>The introduction is my note to the recipients, but the rest is as it was posted.</p> <p>- John Tyler</p> <p>(a copy of the letter sent to DMA is included below these comments)</p> <p>Another note</p> <p>I thought things would be better when the County took over, but it seems that the same attitudes or people are in place to dictate. I agree with many others that this has been handled in a very underhanded manner to say the least. I am concerned about all the elderly and fixed income homeowners who can't afford or don't understand computers. Also, with Covid, people are less likely to see notices and we can't have a homeowners meeting or go door to door with this information. I believe that we must respond with a loud voice and it will take all forms of media and legwork to do so. I will be making sure that my neighbours are aware with exaggerated levels of social distancing involved</p>	<p>Please see Low Income Tax Exemption and Reduction Policy attached as APPENDIX C</p>

<p>Letter attached to Mr. Tyler’s email</p>	<p>May 11th 2020 Department of Municipal Affairs Halifax Re:Municipality of Cumberland County We are writing to express our thoughts regarding the way our municipality is conducting its affairs. They recently posted notice of a so-called public hearing finishing on May 15th with Council’s decision on May 20th. The purpose of the hearing is to discuss three proposed by-laws, two of which concern us greatly. The paragraphs causing unease are as follow: Public Sewer By-Law 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. Local Improvement By-Law 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. These two proposed by-laws are repugnant. They both appear to give the municipality carte blanche to charge the end user and only the end user for capital costs not funded by any levels of government. This seems to be a draconian way of dealing with shortfalls in</p>	
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	<p>capital costs. Surely we don't live in a "user pay" society. Rather, we live in a society where costs of capital projects with broad public benefit are shared municipality wide, province wide or even country wide. We question the legality of such a by-law giving the municipality the power to complete projects and then charge the end user without any requirement for public discussion. Capital costs are shared costs; operational charges are something different. These proposed by-laws relate directly to sewer levies made in Parrsboro last year. We know our MLA Tory Rushton has been in contact regarding the specific situation with the proposal to charge 425 households and businesses with the capital cost of the Parrsboro Treatment Plant. This is a prime example of how this by-law can be abused. While on the subject of how capital costs are funded we draw your attention to how a similar situation was handled for Cape Breton Regional Municipality. It is interesting to note at the end of March 2020 the province agreed to add an additional \$26.2 million to the \$32.6 million already agreed which means the CBRM treatment plant is now fully funded by government. All Cumberland County needs to rectify the situation is \$4.4 million. Surely the province will recognize it is hardly fair to foist this charge on 425 households and businesses? We would ask two things. Firstly, that the public hearing be postponed until it can be genuinely public, however long that takes. Secondly we ask the province reconsider and provide the additional funding needed to cover the shortfall. We look forward to your response. Steve Johnson Rosemary Rowntree Further from Steve Johnson: Brenda is collecting feedback from interested parties for the March 20th council meeting. Bmoore@cumberlandcounty.ns.ca It was suggested to us we call each councillor. If they start receiving phone calls they</p>	
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	<p>might pay attention. The decision on the by-laws will not be made until the June 3rd council meeting.</p>	
<p>Judith Bauer Email May 15</p>	<p>Dear Ms. Moore and Council members i hope this finds you all safe and well during these strange times.</p> <p>My apologies for the tardiness of this email.</p> <p>These comments and questions concern the proposed 'Public Sewer By-law" and "Local Improvement By-law'. A notice was recently posted regarding a "public hearing" on May 15th with Council's decision on May 20th. The purpose of the hearing being to discuss three proposed by-laws, two of which are of much concern to residents of Parrsboro, the Public Sewer By-Law and the Local Improvement By-Law.</p> <p>Both these by-laws appear to give the municipality free reign to charge the end user and only the end user for capital costs not funded by any levels of government.</p> <p>How is it possible that the county can pass a new by-law for existing infrastructure?</p> <p>And how does it make any sense at all to include a provision for a petition process (referendum?) for projects that are already in place? Surely the time to consult the population is before rather than after implementation.</p> <p>These proposed by-laws relate directly to sewer levies made in Parrsboro last year. Our MLA Tory Rushton has been in contact with council regarding the specific situation with the proposal to charge 425 households and businesses with the capital cost of the Parrsboro Treatment Plant. This is a prime example of how this by-law can be abused.</p> <p>This seems to be a rather punishing solution to deal with shortfalls in capital costs. Has consideration been given to how these additional charges will affect individual home and business owners? Is council aware that for</p>	<p>Establishing a local improvement charge is provided by the Municipal Government Act.</p> <p>Council initially intended to fund the annual capital debt payments through the sewer service charge. Residents expressed concern over this method and how the costs were distributed. The Local Improvement Charge By-Law is intended to distribute the cost across users that have direct access to the new infrastructure and respect that a cleaner environment is a wider benefit. The public sewer by-law provides council the option to allocate operational costs of the sewer system to users based on their metered water consumption. This method of distributing operational costs was requested by consensus at a public meeting in Parrsboro in the Fall of 2019.</p>

	<p>lower income householders and small businesses these additional costs may mean the difference between a viable life in Parrsboro and no life in Parrsboro. Much effort and funding goes into projects and enterprises (e.g. theatre, museums, Parrsboro creative) in an effort to not only keep people here but attract them to live here but, who will choose to come here and purchase property when it comes with these costs?</p> <p>And how is it that only some capital costs are spread out to the whole county and others localized?</p> <p>If we in Parrsboro are expected to pay for these capital costs then conceivably we should not be expected to pay for costs incurred for the benefit of Springhill, Oxford, Pugwash or anywhere else in the county which nullifies the reason for a county government. The county promised Parrsboro that we would not be punished for giving up town status and joining the county. So much for truth in local politics.</p> <p>Many of us here in Parrsboro are questioning the legality of such a by-law which gives the municipality the power to complete projects and then charge the end user without any requirement for public discussion.</p> <p>While on the subject of how capital costs are funded we draw your attention to how a similar situation was handled for Cape Breton Regional Municipality. It is interesting to note at the end of March 2020 the province agreed to add an additional \$26.2 million to the \$32.6 million already agreed which means the CBRM treatment plant is now fully funded by government. All Cumberland County needs to rectify the situation is \$4.4 million. Surely the province will recognize it is hardly fair to foist this charge on 425 households and businesses?</p> <p>We were promised by the county that the cost of this project in Parrsboro would be spread throughout the county.</p> <p>i believe that putting these costs onto individual property owners will only hasten the decline of Parrsboro, that more buildings will be abandoned and</p>	
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	<p>that property values will decline. The county will lose tax revenue as this happens and that newcomers to the community will choose to settle outside of Parrsboro.</p> <p>Thank you for the opportunity to comment on this matter. best wishes, judith bauer</p>	
<p>Parrsboro board of Trade Letter May 15 Official submission to be read at hearing</p> <p>Ms Rowntree contacted me again on Aug 27 to ensure this letter was submitted for consideration</p>	<p>Attached is the submission from the Parrsboro & District Board of Trade making comment on the proposed Local Improvement By-Law and the proposed Public Sewers By-Law.</p> <p>Rennie Bugley has told me that he will ask Council on Wednesday to consider postponing or extending the hearing. Will you please let me know the outcome of this?</p> <p>Re: Public Hearing <u>Draft Local Improvement and Sewer By-Laws</u></p> <p>We would like to take this opportunity to address the draft by-laws prior to final consideration by council. There are a few areas which cause concern to the residents, businesses, and citizens not only in Parrsboro but Cumberland County as a whole.</p> <p><u>Local Improvement By-Law</u></p> <p>2. Purpose - 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.</p> <p>Please consider amending this to charge properties where the entire benefit is to those properties only. Where the local improvement is a public benefit, the cost should be assumed by the entire public.</p> <p>We concur that should local improvements be made voluntarily for users, those users should be responsible for the costs. However, when a local improvement is</p>	<p>The sections of the Local Improvement By-Law have not been changed from the existing version of the by-law.</p> <p>Wastewater collection and treatment is not operated as a utility. The operation and fees are not approved by the Nova Scotia Utility and Review board. Treating unpaid sewer service charge in the same manner of taxes is the Municipalities only tool to ensure payment of these fees. It is not possible , and it would not be safe to turn off sewer service for non-payment. The Municipality would have no authority to shut off water service for non-payment of sewer service charge. The water service is provided through a Water Utility that is regulated by the NSUARB and must be operated in compliance with that regulation.</p>

mandated, those costs should be assumed by the body that mandates the improvement.

The fact that the Municipal Act of Nova Scotia permits such charging does not mean it is fair or reasonable. Through taxes we all contribute to a common fund for our own and each other's communities. Putting the burden of capital improvements on a small group in one section of the county undermines this system.

Adding costs to specific areas which have seen a decline in population and income over the last few years seems counterproductive to finding a path to encourage growth. A fee spread out over the whole county would lessen the blow to those in specific areas. While new fees are not easy for residents to support, using examples like Parrsboro and Pugwash, we find that many rural residents use these communities for services and entertainment. Having strong infrastructure in our core communities benefits our county as a whole.

8. Approval of Projects - Council may proceed with a Local Improvement at its own discretion or in response to a petition that receives majority approval.

We wish to see a requirement to consult and seek approval of projects and associated costs prior to project initiation when assessments will be made to individual users.

9. Approval of Projects - 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.

This contradicts the idea of an informed, responsible and representative institution. Continuing with petitions based on information proven to be wrong is irresponsible. We would like you to reconsider this. If approval is given to proceed based on inaccurate information, the approval process should be restarted or the decision / outcome revised, if feasible, using the correct information.

Sewer By-Law

14. Metered Sewer Service Charge - 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.

We would like to see sewer charges based on metered water-in use where meters are in place. We understand that you wish to have a consistent policy County-wide. However, where metered service is available, a fairer and more equitable charge would be based on those in-place meters. Water-in has a direct correlation to sewage-out. Basing charges on averages is simply not fair to individuals or businesses.

At the public hearing held in Parrsboro during the summer at the fire hall, you heard ample reason to consider seasonality, realistic use and other special variations in unit charges, but we do not see those ideas reflected in the schedules.

16. Capital Charges - 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.

On this point, we reiterate the same concern as noted above under the Local Improvement by-law. We would like to see consideration given to whether or not the project is benefit to the general public or to individuals alone. Canadians believe that public benefits should be paid from the public purse. That is the societal norm. For example, when the bridge over the aboiteau on Two Island Rd is replaced or repaired, we all expect it to be a public benefit and paid by the general revenues. We would hardly expect a toll for users alone.

The proposed by-laws are silent on how to allocate costs for service upgrades or extensions. Where the benefit is solely to specific users, neither the Local Improvements nor the Sewer proposals address the way you will charge

for future extensions to capital projects. If, for example, the sewer in Parrsboro is extended to include new streets will the current charges be amended? Reduced? Spread equitably over new users? Consider past payments to the main project?

20. Liens - 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)

We do not see that a utility payment (water, sewage, power etc.) should be treated in the same manner as unpaid property tax. The covenant between residents and the county is payment of property tax – landowners pay the tax and the county uses those funds to benefit all. If a property owner does not pay the tax the county can seize the property. Nonpayment of a utility cannot be part of this. Add-ons to the covenant corrupt the trust between the resident and local government.

35. Special Arrangements - ...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...

We wonder, as you have a very specific list of prohibited items, under what circumstances you would allow these prohibited wastes to enter the sewage system. Would a fracking company be allowed? A commercial agriculture processing plant? A chemical plant?

We recommend that a list be developed to identify what industrial or commercial concerns or institutions would be acceptable for such allowances. The goal of controlling wastewater is to lessen the impact and improve the health of our citizens and more importantly the environment. The Bay of Fundy is a natural wonder and cannot be treated in a haphazard manner. What may work in other areas could have very different consequences on the Bay. The County residents should be part of any decision regarding “unusual” items being disposed in the Bay of Fundy through wastewater.

	<p>We appreciate the opportunity to communicate with you on these very important by-laws and we look forward to working together to improve these drafts by-laws.</p> <p>Sincerely,</p> <p>O. Rosemary Rowntree President Parrsboro & District Board of Trade</p>	
<p>Jeremy Dunphy Email May 15</p>	<p>As a person with a residence and property in Parrsboro, in order to make an informed decision on the way to proceed going forward, may I request to receive all reports, studies, compilation of pertinent meeting minutes, contracts, correspondence, financial statements or any other document related to the Parrsboro Sewer project and the proposed Public Sewer and Local Improvement Bylaws. I would also request any report, minutes or other document from previous public consultation that has taken place and any document which discusses actions taken since last summer to secure additional funds toward this project.</p> <p>For a decision with a multi-million dollar financial impact on the residents of our hometown, I do not see that information outside of council minutes is readily accessible or that a substantive justification case has been provided to all taxpayers. The limited information online points to this being caused by a project cost over run which is very disconcerting that this would be allowed to occur, and if so, that the Municipality did not come back to taxpayers during the project with a way forward that looked to mitigate potential overages before becoming reality. This cannot be changed now, however it should not mean that those in Parrsboro are forced into a 20 year obligation they did not expect and were not consulted on before the end result. Due to the impending deadlines of which I was just made aware, i would respectfully appreciate your attention to this request for information.</p> <p>I also question the timing of the public consultation next week amid the current pandemic situation. As taxpayers, my brother and I should be able to be part of the process, however I am with the RCMP working border integrity</p>	

	<p>and he is a military medic deployed to a care home with COVID-19. We are both working long hours to accomplish what must be done in these unprecedented times. In the midst of this we are being asked to review the significant information surrounding these bylaws and sort through years of council minutes then be available for the one chance to call in or to find substantial time to prepare meaningful written commentary on a short deadline. This process is not being respectful of those who are in the middle of this pandemic response, let alone in consideration of the current restrictions on movement and gathering. We have so much else in the front of our minds at the moment but no one should have any less of an ability to participate in this process you have set. As you can see by when I am writing this, time is at a premium. We have no doubt that we are far from alone in this situation.</p> <p>Respectfully submitted, Jeremy Dunphy</p>	
<p>Jeremy Dunphy</p>	<p>On May 17, 2020, at 8:56 PM,</p> <p>Good evening,</p> <p>Ms. Hoeg: Thank you very much for your reply. My initial email did not contain a request to speak as I was asking for the information first to be able to determine the best way forward. My hope is that there would be a detailed information package of all of the relevant material or other type business case for considerations on an expenditure of four million dollars. In my role with the federal government I cannot even request to spend \$5000 without such a substantial case written and approved. Please advise if this is available or the process required to access all of the applicable information.</p> <p>Thank you as well for arranging to provide the time and contact information on Tuesday for the session. I will make the necessary arrangements.</p> <p>Mr. Rafuse: I have heard from our MLA and I was hoping to hear from yourself as well on how this issue came to be and what actions have been completed to date in an attempt to rectify this overall situation. I want to speak to details and not generalities on Wednesday,</p>	<p>Good Morning Jeremy</p> <p>i will try to condense this ass much as i can and get the point to you. The federal government mandated by the year 2020 no one was to be pumping waste into the oceans and harbours. This has been around for a few years. The federal government announced they were going to spend millions of dollars on infrastructure . So this was great. Our system should of cost aprox .8.5 million. There was a lot of work around because of the Federal funding. All contractors in this business put their rates up and knew they could get it. Our system came in at aprox. 4.5 million over. If council had not approved the extra 4.5 million we would of lost the 8.5 that was free and would of been out there trying to find aproximately 10 million to put in a treatment plant. The Federal government just paid off 26 million for Cape Breton .There is no reason they cannot help us also. Our elective Federal and Provincial officials have been trying to help us. The residents of Parrsboro know we have to pay more for sewer . But it has to be reasonable .</p> <p>hope this helps. Norm</p>

	<p>therefore as our representative I would appreciate your input in this matter.</p> <p>Regards,</p> <p>Jeremy Dunphy</p>	
<p>Stan Blenkhorn</p>	<p>Date: May 17, 2020 at 9:03:40 AM ADT Subject: Parrsboro Sewer Funding Shortfall</p> <p>First let us make it clear that by our questions we are not connecting this to an opinion either for or against dissolution but merely connecting it to the financial position the people of Parrsboro are finding themselves in . A position that we steadfastly oppose based on the realization that our rights have been taken away . This amounts to taxation without representation , a basic right to determine our own future financially, etc.</p> <p>In our opinion , as a result of dissolution our RIGHTS were taken away by Provincial Legislation and the County of Cumberland is abusing that legislation to force the people of Parrsboro to pay for their horrendous mistake . This mistake will clearly be shown that the County of Cumberland (staff and council) made all the decisions and not the people of Parrsboro . We were never consulted in any of the process and therefore claim NO responsibility for any of the sewer shortfall of \$4.4M .</p> <p>There is many questions re the awarding of the underfunded sewer project and many less answers . We will list areas of questions and respectfully anticipate a reply for each .</p> <p>1 - Parrsboro had in place a 3 phase approach to effluent (est. cost of \$4m) of which phase 1 was completed , who changed the project scope to the \$8.4M as per letter of intent ?</p> <p>2 - Who submitted the application for funding to the CWWF program on Parrsboro's behalf ?</p> <p>3 - When funding was approved from the CWWF program who controlled the tendering process for Parrsboro's sewer project ?</p>	

	<p>4 - When the tenders were viewed and the lowest bid was \$4.4M over budget could you please provide us with all appropriate documentation as to (staff and Councils) support efforts to acquire additional funds to meet the shortfall through the CWWF program BEFORE a tender was awarded .</p> <p>5 - As a result of #4 's actions what was the result ? Again appropriate documentation will suffice , emails etc .</p> <p>6 - When the results of # 5 were known by staff and Council what efforts were made to scale down the sewer project to match the original \$ 8.4M approved by the CWWF program . Through an email from Mr. Chuck Porter , Minister of MA for Nova Scotia he states , (the CWWF program does not allow for claims for project overages once they have been approved) . This means the original approved \$8.4 M could have accomplished the needed results .</p> <p>7 - When staff and Council knew of the \$4.4 M shortfall and No chance of additional funds , what was the logic and reasoning behind the awarding of the UNDERFUNDED sewer project in Parrsboro ?</p> <p>8 - Before the awarding of the underfunded sewer project who on staff recommended awarding the tender and explanation as to where the \$4.4M shortfall would be forthcoming ?</p> <p>9 - In a report to Council on March 27 , 2020 by Justin Waugh - Cress and Andrew MacDonald they state , Correspondence has been sent to the Minister of Municipal Affairs requesting additional funds , copies of which have been provided to our MLA's and MP . We ask to have copies of that dated correspondence and appropriate responses . It all seems to be too late , c,mon like almost 3 or 4 years later .</p> <p>The residents of Parrsboro became aware of the \$4.4M shortfall re underfunded project with a bombshell re new sewer bill of \$995 and resulting uproar , next come this 4 option plan to recover the \$4.4M shortfall again solely from the residents of Parrsboro . Efforts to get</p>	
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	<p>clarification from our rep. on Council are fruitless as it appears each email and explanation vary each time .</p> <p>We could go on and on and we will until the County of Cumberland is held accountable for the horrendous mistake they made in awarding the UNDERFUNDED tender . The Rights of the residents of Parrsboro were and continue to be taken away us as the County tries to cover up their mistake . The people of Parrsboro were never consulted throughout this process and had absolutely no say in this process and therefore claim NO responsibility for the position the County of Cumberland finds itself in , in trying to cover for the debt of the \$4.4M for their Staff and Council's horrendous mistake !</p> <p>To , Kyle Jackson , I can supply you with all emails directed to the Premier and his Government .</p> <p>Thanks and have a great day</p>	
<p>Stan Blenkhorn</p>		<p>The \$521,589 , capital reserves – unappropriated consist of the following</p> <p>\$54,309 Insurance proceeds received for the Mechanic Street Park Playground in Springhill – this will be used to fund the replacement playground</p> <p>\$2,713 Transfer From Tax Sale Surplus – After 20 years any surplus amounts received at tax sale are transferred from Tax Sale Surplus Trust to the General Capital Reserve.</p> <p>\$309,000 This represents amounts budgeted for capital acquisitions from general operations in 2018/19. These projects were not undertaken therefore this amount was transferred to reserve. These capital projects were carried forward to the 2019/2020 capital budget.</p> <p>\$122,964 Balance of the general capital reserve from the former Town of Springhill</p> <p>\$32,603 Unallocated capital reserve</p> <p>The unappropriated operating reserve balance of \$793,474 represents amounts raised through the general tax rate that have been transferred to reserve. Council has not placed any internal restrictions on the use of this reserve.</p>
<p>Stan Blenkhorn</p>		<p>Hello Mr. Blenkhorn,</p> <p>The memo dated February 25th (APPENDIX D) was presented at the March 4th Council meeting and introduces the options for a local improvement</p>

	<p>1 - Councillor Rafuse referred to an option 4 , if there is a 4 what is it ? If there is a 4 is there a 3 ?</p> <p>2 - Under option 1 or 2 is the tax rate and local improvement rate constant over the 20 year duration ?</p> <p>3 - Sewer rate would be subject to change yearly , if needed ?</p> <p>4 - Financing 5 years locked in or 20 years locked ?</p> <p>5 - If I understand options 1 & 2 right , option 1 covers 50% and option 2 covers 75% , who or how is the shortfall covered in options 1 or 2 ? Option 1 would be 50 % and option 2 would be 25% .</p> <p>6 One more question thought of . Of these options does it apply to both residential and commercial?!</p>	<p>charge to fund the capital cost as well as a metered rate to fund the annual operating cost.</p> <p>The memo dated April 8th (APPENDIX E) was presented at the April 15th Council meeting and provides a summary of various financial information previously discussed including comparison to other recent capital projects, average tax burden for other communities serviced by water and sewer and the change in tax burden for the average Parrisboro residential tax payer before and after dissolution.</p> <p>I have also provided answers to your questions below:</p> <p>1. Answer: In the attached memo dated February 25th we identified 4 options. These options looked at general rate contributions toward the project.</p> <ul style="list-style-type: none"> Option 1 - 0% contribution from general tax rate Option 2- 25% contribution from general tax rate Option 3- 50% contribution from general tax rate Option 4- 75% contribution from general tax rate <p>2 Answer: Under each option we had identified a local improvement charge, for all developed lots, that could either be paid as a lump sum or spread in equal payments over 20 years. In addition to the local improvement charge a metered rate would be charged to those properties serviced by the sewer system to cover the annual operating cost of the system.</p> <p>3 Answer: A metered rate would be established based on the annual operating budget and estimated metered volumes. Based on actual metered volumes and operating costs this rate would be adjusted accordingly through the annual budget process.</p> <p>4 Answer: The debt on the system was amortized over a 20 year period with a ten year term. In year ten the balance owing would be refinanced.</p> <p>5 Answer: Under Option 3, 50% of the capital cost would be raised through a local improvement charge, the remaining 50% would be funded through the general tax rate which applies to all properties within the municipality. Option 4 would see the local improvement charge covering 25% with 75% being funded by general taxes.</p> <p>6 Answer: The local improvement charge would be charged on a per lot basis for all developed lots within the service area. The per lot rate would be the same for both commercial and residential. The metered rate to cover operating cost would be based on actual water usage for each customer.</p>
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<p>From: Allan Jones</p>	<p>> Sent: May 16, 2020 8:59 PM</p> <p>Hi. My name is Al Jones. I own property a few kms outside Parrsboro. I have a septic system. The county did not provide any funding for my septic system. I am therefore opposed to any county tax revenues being used to fund Parrsboro's sewage plant. The county should either fund everyone's sewage/septic systems or fund no one's. That is only fair. I understand there is a virtual council meeting this Wednesday. How does one access the meeting and will there be an opportunity for the public to present their concerns? Thanks.</p> <p>Al Jones</p>	
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The submissions I received Wednesday were added below

<p>: Bill Rector May 19, 2020 at "</p>	<p>Mr Rafuse, I'm wondering if you can explain how the people of Parrsboro can look at the bright side of this sewer tax of \$957.00. There is no way I for one can pay this amount. It's just not going to happen. So what are the alternatives? Do I sell my house? And if so what are the options then? It would be all well and good if my annual income was equal to yours, then I would gladly pay the tax. But unfortunately the majority of the people in Parrsboro do not have the money to pay this tax. Next subject is the town hall. Why the hell would anyone in their right mind be even considering any type of new building under the circumstances. That trailer is perfectly fine as we are no longer a 'town' thanks to Mrs Smith and the shady deal she pushed over on us. If there is money to waste on a new building, put that money towards the sewer system. Another way to save is to sell off some surplus equipment at the town garage and get rid of over half of the employees that are there. We don't need any more than one snowplow, we can all wait to be plowed out as there is no place we need to go. Everyone is able to stay home indefinitely as has been proven by Covid 19. If you are really genuine about informing the people of Parrsboro about what is happening, we have the community channel on Eastlink which can inform people</p>	
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	<p>of anything that is going on</p> <p>Respectfully yours, Bill Rector</p>	
<p>From: Stan Blenkhorn > May 5, 2020 at 6:50:</p>	<p>It is apparent that by your voting on Cumberland you have voted detrimental to the well being of Parrsboro. You owe an explanation to why you voted to approve the awarding of the underfunded sewer project (\$4.4 M) . Please explain the logic that you based your decision on . Next please explain your reasoning to try and make the people of Parrsboro pay the \$4.4 m shortfall on the sewer project . That shortfall was a horrendous mistake by Cumberland . You being the person that the people of Parrsboro chose to represent us, to protect our community but now we find you as being against Parrsboro . If we could we would get your ass at a Public Meeting in front of the the people your actions are hurting.</p>	
<p>Stan Blenkhorn : Wed, May 20, 2020 at 2:53 AM</p>	<p>Subject: Cumberland"s Horrendous Mistake To: <PREMIER@novascotia.ca> Cc: Rushton, Tory <Tory.Rushton@novascotia.ca></p> <p>Mr. Premier , the people of Parrsboro over the years have accepted your Governments decisions ; with regards to various government cutbacks or delays to projects to the Parrsboro area in the name of fiscal responsibility or timing . We have accepted the delaying of the Aboiteau bridge replacement for years . We have endured the condition of the roads going to and from Parrsboro for years . We have accepted government cutbacks , sometimes reluctantly ! But as our group has been relaying to yourself and your government , the people of Parrsboro WILL NOT accept any responsibility for the County of Cumberlands horrendous mistake in awarding of the sewer project which was \$4.4M over budget !</p> <p>The people of Parrsboro were never consulted on the sewer project : i.e Development or Financing ! Somehow the County of Cumberland unanimously agreed to award the UNDERFUNDED sewer project for Parrsboro ! Again without any proper consultation with the people of Parrsboro . The responsibility for the \$4.4M shortfall therefore lays solely with the County of</p>	

	<p>Cumberland for it was their HORRENDOUS MISTAKE !</p> <p>You are well aware of our efforts , over the last 2 months to defend the rights of the people of Parrsboro (when others were unsuccessful) to enlist your government to stand up for the residents of Parrsboro . Your government played a leading role in Parrsboro's dissolution (of which we are not objecting) and now we are asking (again) your governments HELP ! Help to STOP the County of Cumberland from trying to use the people of Parrsboro to PAY for their HORRENDOUS MISTAKE !</p> <p>Our group has been trying over the last two months to enlist help to defend the people of Parrsboro , of which has been painstakingly slow . Our latest efforts have been with the Nova Scotia Ombudsman to defend the rights of the people of Parrsboro . Throughout any of our groups efforts we have and still maintain that the people of Parrsboro are NOT responsible for the County of Cumberland's actions to borrow \$4.4M for the underfunded sewer project .That borrowing is the direct responsibility for the County of Cumberland since it was their horrendous mistake !</p> <p>The County of Cumberland cannot be allowed to use the people of Parrsboro to pay for their horrendous mistake . If the Government of Nova Scotia allows the County of Cumberland to do this , then they will be participating in the coverup of the County's horrendous mistake . The County of Cumberland also owes an explanation to the people of Parrsboro and equally importantly to the people of Cumberland .</p> <p>Therefore Mr. Premier , our group that is standing up for the rights of the people of Parrsboro are inviting yourself ; and any other government dept. official to come to Parrsboro . Please come and tell the people of Parrsboro of your governments efforts to help protect the people of Parrsboro !</p> <p>Looking forward to arranging an appropriate meeting place and time , amid social distancing and Covid-19 .</p>	
<p>Stan Blenkhorn Wed, May 13, 2020 at 3:36</p>	<p>We as residents of Parrsboro need to know which members of staff provided yourself and all of County</p>	

Council with the information to have yourself and all of County Council to support awarding the UNDERFUNDED (by \$4.4 million) tender for the Parrsboro Sewer Project . We have a right as the people of Parrsboro to know all the information that was used to sway the unanimous decision of Council to support the awarding of the underfunded project . We need you to supply the people of Parrsboro with the information as in , when and what was presented to County Council . We need and you are bound to supply the residents of Parrsboro with ALL the information that you and County Council had at your disposal to make that informed decision . A copy of all the meeting minutes and relevant documents that you and Council were provided with in which the decision was solely based on would be suffice . The residents of Parrsboro , for obvious reasons need and want an immediate response .

On Tue, May 12, 2020 at 4:51 PM Norman Rafuse < > wrote:

4 unit buildings are \$1,826.00

10 unit buildings are \$ 4,332.00

B&B are based on units and washrooms.

single unit buildings will be based on a single unit rate . These are based on option 4 being passed.

with out the .0185 increase single unit on option 4 our price goes up to \$ 1,105.00

> **On May 5, 2020, at 7:45 PM, Stan Blenkhorn** > wrote:

> Could you please explain what the cost will be to area commercial properties. More clarification is needed for the use of the .0185 being applied to all county taxpayers.

>

> Sent from my iPhone

>

>> On May 5, 2020, at 5:21 PM, Norman Rafuse wrote:

>>

>> once again a single residence is 588.00 per year .total.

>>

>>> On May 5, 2020, at 2:07 PM, Stan Blenkhorn < wrote:

	<p>>>>> >>>> If I understand you right , a single residential unit regardless of assessed value the charge as an extra to our tax bill to operate Parrsboro will be \$588.00 . As you might not be aware Parrsboro probably has a higher # of residential properties that are assessed under \$100,000.00 Therefore if you proceed with this you are punishing the poor . Regardless Cumberland is punishing Parrsboro for it's horrendous mistake . The question regarding how commercial will be handled is , commercial operations such as the Co-op , Wheaton's Irving , Pharmasave , Ken's to name just a few ? The area local improvement charge is clearly explained in the County press release dated April 03 , 2020 to the Amherst News . It states the area local improvement charge as an additional charge over the \$588.00 .Therefore added to the \$588.00. >>>> >>>> Let me get this perfectly clear . In order for the County of Cumberland to make their Parrsboro Sewer Debt solution work , the rate increase of .0185 is going to be charged to ALL County taxpayers ! >>>> >>>> Also for clarification someone on the sewer in Parrsboro will now be paying , if option 4 is approved this \$416 sewer , \$588. , \$172 , plus \$18.50 per \$100,000 assessment . TOTAL \$1,194.5 per year If my memory serves me right when all the shit hit the fan those people were very upset at the original new sewer bill that was \$995.00 . Do you really think people will be Happy ???</p>	
<p>Email received August 31 Johannes Hiesberger</p>	<p>Dear Brenda! Please forward this letter to the council regarding the sewer rates for Parrsboro. best regards The Maple Inn Johannes</p> <p>(attached letter) 31 August 2020 Warden A. Gillis Council Members Municipality of Cumberland 1395 Blair Lake Road Upper Nappan NS B4H 3Y4</p>	

Dear Mr. Gillis and Councillors:

I had previously sent you and the Councillors a letter and this is in addition to that request. I would like once again to address this most urgent matter regarding our sewer charges.

The continuing pandemic, and the closing of borders outside of the Atlantic Bubble, shows again how unfairly your current sewer fees are based. Even with the Atlantic Bubble which was instituted very late in the season, this has had a severe impact on our business.

This year we will have a 10 % occupancy rate in our Inn (if broken down on an annual basis).

The question is: why should our business pay 5 times the sewer charges if we are only using it 10 % of the year? In our best years, we are only operating with a 33 % occupancy rate (based annually).

This year reflects once again how urgent and necessary it is to charge sewer rates based on usage.

It is most unreasonable not to give the seasonal businesses a break in the sewer rate on the basis of how many months they operate annually. I speak not only for myself, but, for all the businesses in Parrsboro who are greatly suffering from this unplanned downturn due to Covid 19.

We trust that you will address this dire situation and consider the above suggestions, otherwise it will be the demise of our business and we shall have to close it permanently.

Thank you for your consideration in this important matter.

Sincerely,
Johannes Hiesberger
The Maple Inn

APPENDIX A

Question:

When Parrsboro and Cumberland County amalgamated Parrsboro came in with a plus of around 800,000 if I remember right.

Was that money applied to our new sewage system or spent otherwise?

Answer:

Reserve Funds – Former Town of Parrsboro

The following tables shows the ending balances of Parrsboro’s reserve funds as of October 31, 2016. Also shown are the transfers from these reserve in the past three years.

	<u>Transfer from Reserves</u>				<u>Balance</u> <u>31-Mar-20</u>
	<u>Balance</u> <u>31-Oct-16</u>	<u>16/17</u> <u>Sewer Project</u>	<u>17/18</u> <u>Water Metres</u>	<u>18/19</u> <u>Sewer Project</u>	
Reserve Fund balances					
Gas Tax	318,095.00		-318,095.00		0.00
Capital	12,227.00			-12,227.00	0.00
Equipment and Operating	375,102.00	-55,723.00		-207,287.00	112,092.00
	<u>705,424.00</u>	<u>-55,723.00</u>	<u>-318,095.00</u>	<u>-219,514.00</u>	<u>112,092.00</u>

Balance in Equipment and Operating Reserve to be used to fund new dump truck for Parrsboro Public Works. (delivered in Spring 2020)

General Operating Fund Accumulated Deficit

In addition to the above noted reserve fund balances, at the time of dissolution the Town of Parrsboro had an accumulated deficit in its general operating fund in the amount of \$313,023. This deficit was absorbed by the Municipality of Cumberland and is being recovered over time through the area rate charged within the community of Parrsboro.

APPENDIX B

Questions

Where is the transitioning funding from when we amalgamated into the county and how much money exactly is that ?

Why could this not be used to off set the debt that you folks have left Parrsboro with

If it has been spent all ready where and how much has been used .

Answers

Parrsboro Letter of Intent Funding totalled \$3,072,500 and is spread over a five-year period (2017/18 to 2021/22). Below is a summary of this funding allocated by project and includes the total spent between April 1st 2017 to March 31st 2020.

The original amount of \$1,345,000 was allocated in the letter of intent to fund the sewer project. Last year Council requested and was granted permission to reallocate \$361,000 from other project categories to offset the first year of debt payments associated with the project.

Project Category	Per Year	Five Year Total	Amounts Reallocated to Sewer Project	Revised Totals by Project Category	Total Spent on Projects April 2017 to March 2020	Balance Remaining March 2020

Roads Capital (paving)	\$ 165,000	\$ 825,000	-\$ 258,600	\$ 566,400	-\$ 295,890	\$ 270,600
Roads Operating	49,500	247,500		247,500	-148,500	99,000
Infrastructure Sewer	269,000	1,345,000	+361,000	1,706,000	-1,706,000	0
Infrastructure Water	41,000	205,000		205,000	-205,000	0
Post Transition Cost	90,000	450,000	-102,400	347,600	-243,231	104,369
Total	\$ 614,500	\$ 3,072,500	\$ 0	\$3,072,500	-\$ 2,599,231	\$ 473,269

The following provides additional information on how the funds were spent by project category.

Roads Capital

The balance of the roads capital funding amount will be used for future road paving. The capital investment plan includes \$800,000 in the next five years. The cost of the five-year paving plan will be paid for by the \$270,600 in letter on intent funding and Federal Gas Tax Grant.

2020/21	\$0	current year's paving plan deferred due to COVID 19
2021/22	\$200,000	
2022/23	\$200,000	
2023/24	\$200,000	
2024/25	<u>\$200,000</u>	
Total	<u>\$800,000</u>	

Roads operating

The roads operating grants is paid annually over the five years and is used to offset cost associated with maintaining streets and roads in Parrsboro. The balance remaining of \$99,000 will be used to offset street maintenance cost in the 2020/21 and 2021/22 fiscal years.

Infrastructure Water

A total of \$557,000 was spent on the Parrsboro Water utility in the 2019/20 fiscal year. Projects included water line replacements, supply well and monitoring systems. These projects were funded with the above noted letter of intent amount of \$205,000, Federal Gas Tax Grant, \$269,000 and water utility depreciation \$83,000.

Post Transition

The following amounts have been spent between April 2017 and March 2020 on eligible post transition projects:

Human resources development and planning	\$ 10,820
Municipal Planning Strategy and Land use Bylaw	\$ 52,581
Legal Fees associated with the transfer of property and assets	\$ 3,210
Records Management System	\$ 300
Economic Development Strategy	\$ 17,206
Standardized Signage	\$ 6,600
Accounting software conversion	\$ 120,000
Facility needs assessment	\$ 32,514
Total	\$ 243,231

The balance remaining of \$104,369 is budgeted to be spent in the 2020/21 fiscal year to complete the economic development Strategy for Parrsboro, complete the community signage project, facility needs and records management.

APPENDIX C

**Municipality of Cumberland
Low Income Tax Exemption Policy 16-03**

Section 69 of the Municipal Government Act allows Council to establish a Policy for granting an exemption from tax for a person whose income is below a specified amount. This policy will establish the amount of the tax exemption, who is eligible and the process for applying for the exemption.

“Income” means a person’s total income from all sources for the calendar year preceding the fiscal year of the Municipality, and includes the income of all other members of the same family residing in the same household, but does not include an allowance paid pursuant to the *War Veterans Allowance Act* (Canada) or pension paid pursuant to the *Pension Act* (Canada)

1. **Amount of Exemption**

When the income of the person, spouse and other household members combined is less than \$17,957 the exemption shall be \$306.

When the income of the person, spouse and other household members combined is between \$17,958 and \$20,332 the exemption shall be \$211.

Income cut off levels and exemption amounts shall increase by an amount equal to the annual average percentage change in the Consumer Price Index, all-items, for the Province of Nova Scotia for the previous calendar year, as determined by Statistics Canada. If that index is negative in any given year, the amount of the increase will be zero.

2. **To Qualify for the Exemption**

The exemption shall apply only to property of a ratepayer occupied by him or her as his or her principal residence.

The applicant shall complete the application regarding the household income for the previous calendar year. A Councillor, a Commissioner of Oaths or the Municipal Clerk must witness the applicant’s signature on the application.

3. **To receive the Exemption**

An application for a fiscal year shall be submitted by December 31st of that fiscal year.

General

- (1) County Staff shall annually send out a reminder letter and an application form to all persons who received the exemption the previous year.
 - (2) The operating budget shall make allowance for this exemption on a yearly basis.
 - (3) Should a person's total tax bill for that year be less than the exemption for that year, then the exemption will be equal to the full amount of the tax bill for that year.
 - (4) The Municipality requires a copy of the prior year's Canada Revenue Agency Notice of Assessment for all household members prior to approving an application.
 - (5) The deadline for applications and any other pertinent information shall be advertised, at least once, in the local paper.
 - (6) Total income is based on Line 150 of the T1 Income Tax and Benefit return for all household members.
4. This Policy is effective upon adoption and replaces any previous Low Income Exemption Policies.

APPENDIX D



4.1

MEMORANDUM

TO: Council

FROM: Justin Waugh-Cress, P.Eng.

DATE: February 25, 2020

RE: Parrsboro Wastewater System – Capital Debt Servicing Options

At budget time last year, the sewer rate for the Parrsboro Wastewater System was set to cover operating costs and annual capital debt servicing cost. The rate was considerably higher than expected for residents and since June 2019, staff have been working through eleven steps council set to resolve the issue. The majority of these steps have been completed, with two remaining steps, a new by-law and alerting residents of their new rate.

Regarding the Local Improvement by-law:

Council had requested staff undergo a public consultation on the revised Public Sewer By-Law which was completed, and has since directed staff to investigate the possibility of implementing a metered sewer charge based upon public feedback.

To consider metered rates, it is important to understand the inclusion of capital debt servicing in metered rates does not distribute the cost to unconnected users who benefit from the service being available to their property. Also, if we include the capital debt servicing costs within the metered rate, the resulting charge is very high relative to other sewer rates in the municipality.

Staff have reviewed other capital project funding models within the municipality. For both Maccan Water and Pugwash Water a Local Improvement Charge was levied. A Local Improvement Charge is levied at a flat rate to all properties that could benefit from the project, connected or not.

Removal of the capital debt servicing costs from the meter sewer charge requires only operational costs to be borne by those using the system. The capital debt service cost would remain shared across all developed properties in the form of a Local Improvement Charge.

Communicating new rate to residents:

Communicating the updated information on rate and appeal process is still outstanding from the June 2019 action steps. With a council direction at the March 4th meeting, staff will be able to finalize the Local Improvement and Public Sewer by-laws.

Options for establishing a Local Improvement Charge with and without a contribution from the general rate are provided for Council's review and direction to staff.

APPENDIX E

Report to Council

To: Warden Gillis and Council
From: Justin Waugh-Cress
Andrew MacDonald
Date: March 27, 2020
Re: Parrsboro Wastewater Local Improvement Charge

Background

The Parrsboro sewer project expanded the wastewater collection system and created a new wastewater treatment plant. This project was undertaken to comply with Environment Canada's wastewater regulations, compliance was required by 2020. Prior to the commissioning of the wastewater treatment plant, untreated sanitary sewer was discharged directly to the Bay of Fundy. The Parrsboro wastewater project has successfully corrected this ongoing negative environmental impact.

The Parrsboro sewer project was funded through the Clean Water and Wastewater Fund (CWWF). The project received \$8.8M in funding through this program. The total tendered cost of the project was \$12.67M. In an effort to meet the 2020 deadline for compliance with the federal regulations and not lose access to the \$6.6M in funding from the CWWF Council awarded the work to the low bidders. The Parrsboro sewer project was underfunded but was completed within the awarded tender prices.

Over the past few weeks/months there has been a lot financial information provided to Council with respect to the Parrsboro Sewer System. We have discussed various funding options, general rate contributions, local improvement charges, metered rates to cover operating costs, etc. Correspondence has been sent to the Minister of Municipal Affairs requesting additional funding, copies of which have been provided to our MLA's and MP. We have discussed how other recent capital projects have been funded including the amounts funded by the end user. Council has also requested information about what other communities pay for similar services as well as how the average residential tax burden has changed for Parrsboro residents as a result of dissolution.

The Local Improvement By-law is scheduled for first reading on the April 15th Council Meeting. The draft by-law currently includes a local improvement charge based on the 50% general rate contribution.

At the April 1st Council meeting there was support to consider both the 50% and 75% general rate contribution options. The following analysis will include a comparison of these two options. The following assumptions are also included:

Assumptions

- No additional Federal or Provincial funding included at this time.
- Operating Budget (excluding debt payments) billed on water consumption. Average residential bill to fund operations is estimated to be \$416.
- Capital Cost funded through a local improvement charge levied on all developed properties, whether connected to sewer or not.
- Vacant Lots continue to be charge \$50/year with no capital charge
- Developed lots not connected to be charged \$50/year in addition to capital charge.
- Annual Operating budget for 2020/21, excluding debt payment is \$150,000
- Annual debt payments for 2020/21 is \$355,894
- Total amount to be funded by capital charge is \$4,180,000
- Capital Charge would apply to 423 properties

We have organized our analysis under the following categories:

- Comparison to Other Capital Projects
- Impact on General Tax Rate
- Comparison of average residential tax burden to other communities in the County that are serviced by central water and sewer
- Comparison of average residential tax burden for Parrsboro before and after dissolution

Comparison to other Capital Projects

Project	Total Cost	Amount funded by User	Percentage Funded by User	Capital Charge Per Property
Pugwash Water Supply	14,795,230	1,467,548	10%	4,054
Maccan Water Main Extension	2,075,742	289,218	14%	2,332
Parrsboro Wastewater Treatment Plant and Extension	12,675,000			
No General Rate Contribution	12,675,000	4,180,000	33%	9,882
50% General Rate Contribution	12,675,000	2,090,000	16%	4,941
75% General Rate Contribution	12,675,000	1,045,000	8%	2,471

Impact on General Tax Rate**• Pugwash Water Supply**

The Municipality borrowed \$3,033,000, which is being funded out of the general tax rate. The debt servicing cost for 2020/21 is 245,324. Which represents approximately 1.6 cents per \$100 on the general tax rate.

• Maccan Water Main Extension

The Municipality was able to fund this project from Gas Tax and therefore did not have to borrow. The amount of gas tax used was \$1,786,524. Had long term debt been issued, for a 20-year term, the average annual debt servicing cost would have been approximately \$125,000 per year or about .82 cents per \$100 on the general tax rate.

• Parrsboro Wastewater

The impact on the 2020/21 general tax rate for the 50% and 75% general rate contributions options are as follows:

- o 50% cost share - \$210,167 in debt servicing or costs 1.37 cents per \$100
- o 75% cost share - \$283,030 in debt servicing costs or 1.85 cents per \$100

Comparison of average residential tax burden to other communities in the County that are serviced by central water and sewer

The following table summarizes the average annual tax burden with water rates and includes both the 50%

General Rate Contribution					
		50%	75%		
	Springhill	Parrsboro	Parrsboro	Pugwash	Maccan
Average Assessment	48,000	64,000	64,000	100,000	48,000
Residential General Rate	1.19	1.19	1.19	1.19	1.19
Residential Area Rate	0.86	0.48	0.48		
Village Rate				0.32	
Sewer Rate	265.00	416.00	416.00	439.00	439.00
Local Improvement Charge Water				461.03	302.06
Local improvement Charge Sewer		345.00	172.00		
Average Water Bill	613.00	400.00	400.00	613.00	263.00
Average Tax Burden Including Water Rates	1,862.00	2,229.80	2,056.80	3,023.03	1,575.26

Comparison of average residential tax burden for Parrsboro before and after dissolution

As Council is aware the Town of Parrsboro dissolved on October 31, 2016. Prior to dissolution, in addition to the general tax rate, Parrsboro charged various flat rates listed below:

Residential Tax Rate	1.75/\$100
Flat Rates	
Sewer	\$300
Sewer Vacant Land	\$50
Solid Waste	\$120
Streetlights	\$50
Fire Protection	\$125

Upon dissolution the Municipality eliminated flat rates for solid waste, streetlights and fire protection. Also, the 2017/18 residential tax rate for Parrsboro was reduced from 1.75/\$100 to \$1.50/\$100 (\$1.04 general rate plus \$0.46 area rate).

For the 2020/21 fiscal year the residential tax rate for Parrsboro will be \$1.67 (\$1.19 general rate plus \$0.48 area rate).

The following tables show the average Parrsboro residential tax burden before dissolution (table 1), 2020/21 average tax burden based on 50% cost sharing option (table 2), 2020/21 average tax burden based on 75% cost sharing option (table 3).

Based on this comparison we see that under the 50% capital cost contribution option the tax burden on an average residential assessment would be 7% more than it was four years ago. Those that did not have sewer before and are now connected would see a 29% increase, but they also have a service that they did not previously have. For those developed properties within the sewer service area that are not connected would see a 3% increase.

Under the 75% cost sharing option those that had sewer before dissolution and those properties only required to pay the local improvement charge would actually see a decrease from 2016.

Table 1

		Annual Residential Assessment	Annual Tax Bill	
			With Sewer	Without Sewer
Sewer 2016/17 Town of Parrsboro Actual Rates				
Residential Tax Rate	1.75	64,000	1,120	1,120
Sewer per unit	300.00		300	
Sewer-vacant land	50.00			
Solid Waste	120.00		120	120
Street Lights	50.00		50	50
Fire	125.00		125	125
TOTAL			\$ 1,715	\$ 1,415

Table 2

			Average Residential Assessment	Projected Annual Tax Bill 2020/2021		
				Connected to sewer before and after dissolution	Connected to new sewer collection system	Developed lot on sewer expansion not connected
Option 3 - 50% General Rate Contribution to Parrsboro Sewer						
General Tax Rate	\$1.19	\$64,000		\$762	\$762	\$762
Parrsboro Area Rate	\$0.48	\$64,000		\$307	\$307	\$307
Sewer Per Unit	\$416.00			\$416	\$416	\$50
Sewer Vacant Land	\$50.00					
Local Improvement Charge	\$345.00			\$345	\$345	\$345

Total tax Bill	\$1,830	\$1,830	\$1,464
Change in total tax bill from 2016/17	\$115	\$415	\$49
Percentage change in total tax bill from 2016/17	7%	29%	3%

Table 3

				Projected Annual Tax Bill 2020/2021		
			Average Residential Assessment	Connected to sewer before and after dissolution	Connected to new sewer collection system	Developed lot on sewer expansion not connected
Option 4- 75% General Rate Contribution to Parrsboro Sewer						
General Tax Rate	\$1.19	\$64,000		\$762	\$762	\$762
Parrsboro Area Rate	\$0.48	\$64000		\$307	\$307	\$307
Sewer Per Unit	\$416.00			\$416	\$416	\$50
Sewer Vacant Land	\$50.00					
Local Improvement Charge	\$345.00			\$172	\$172	\$172
Total tax Bill				\$1,657	\$1,657	\$1,291
Change in total tax bill from 2016/17				\$58	\$242	\$124
Percentage change in total tax bill from 2016/17				-37%	17%	-9%