



TOWN OF KENTVILLE COUNCIL COVID-19 PROTOCOL AGENDA November 30, 2020 AGENDA

6:00 p.m.

1. **CALL MEETING TO ORDER AND ROLL CALL**
2. **APPROVAL OF THE AGENDA**
3. **SPECIAL PRESENTATION**
 - (a) 30-year service award – Chief Julia Cecchetto
4. **APPROVAL OF THE MINUTES**
 - (a) Council meeting minutes, October 26, 2020
 - (b) Special Council meeting minutes, November 9, 2020
5. **BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS**
 - (a) Deputy Mayor Election
6. **RECOMMENDATIONS AND REPORTS**
 - (a) Council Advisory Committee – Councillor Craig Gerrard
 - (1) General Insurance Recommendation
 - (2) Special Events Bylaw – Covid-19 Adjustments
 - (3) Special Events Bylaw – Increased Events
 - (4) Valley Waste Bylaw
 - (5) Fire Inspection Service Agreement with County of Kings
 - (b) Councillors' and Mayor Reports
 - (1) **Councillor Gerrard**
 - a. Board of Police Commissioners
 - b. Joint Fire Services Committee
 - c. Valley Waste Resource Management Authority
 - (2) **Councillor Huntley**
 - a. Accessibility Committee
 - b. Kings Regional Transit Authority
 - c. Diversity Kings
 - d. Kings Point to Point
 - (3) **Councillor Maxwell**
 - a. Accessibility Committee
 - b. Annapolis Valley Trails Coalition
 - (4) **Councillor Savage**
 - a. Kings Regional Sewer



b. Investment Advisory Committee

(5) Councillor Yorke

- a. Board of Police Commissioners**
- b. Annapolis Valley Regional Library**
- c. Kings County Academy Parent Teacher Association**

(6) Councillor Zebian

(c) Mayor Sandra Snow

- a. Kings Regional Emergency Management Organization**
- b. Source Water Protection Advisory Committee**
- c. Water Commission**
- d. Valley Regional Enterprise Network, Liaison and Oversight Committee**
- e. Audit Committee**

7. NEW BUSINESS

- (a) 2021 Calendar of Council and CAC Meetings**

8. CORRESPONDENCE

- (a) Carol Goodwin – Special Events at Healy Property**
- (b) Karen Peckford – Special Events at Healy Property**
- (c) Chuck Mader – Special Events at Healy Property**
- (d) Kentville New Horizons Senior’s Club – Appreciation for Grant**
- (e) Linda Durling – Special Events at Healy Property**

9. PUBLIC COMMENTS

10. IN CAMERA

- (a) Legal Matters**
- (b) Property Matter**
- (c) Approval of Minutes**

11. ADJOURNMENT

TOWN OF KENTVILLE COUNCIL MEETING

Meeting Minutes: October 28, 2020

1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 6:13 p.m.

PRESENT

Interim Chief Administrative Office (CAO) Brian Smith reported that all members of Council were present except Councillor John Andrew: Mayor Sandra Snow, Deputy Mayor Craig Gerrard, Councillor Eric Bolland, Councillor Cathy Maxwell, Councillor Cate Savage and Councillor Lynn Pulsifer.

Councillors-Elect were also present: Paula Huntley, Gillian Yorke and Andrew Zebian.

Staff in attendance included Solicitor Geoff Muttart, Carla MacDonald and Recording Secretary Jennifer West.

REGRETS

Councillor John Andrew

DECLARATIONS OF CONFLICT OF INTEREST

None.

Note: *"Points from Discussion"* below show various comments made by individual councillors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.

2. APPROVAL OF THE AGENDA

It was moved by Councillor Cate Savage and seconded by Councillor Lynn Pulsifer
that the agenda of October 28, 2020 be approved as presented

MOTION CARRIED

3. APPROVAL OF THE MINUTES

(a) Minutes of Council meeting on September 28, 2020

(b) Minutes of the Special Council meeting on October 13, 2020

(c) Minutes of the In Camera Session on July 13, 2020

(d) Minutes of the In Camera Session on September 14, 2020

(e) Minutes of the In Camera Session on September 28, 2020

(f) Minutes of the In Camera Session on October 13, 2020

It was moved by Councillor Eric Bolland and seconded by Councillor Cate Savage
That the above minutes (a through f) be approved.

MOTION CARRIED

4. UNFINISHED BUSINESS

(a) Noise Bylaw Second Reading

Mayor Snow reviewed the development of a noise bylaw for the Town, and gave second reading to this draft bylaw.

- **Points of Discussion**

- Some concern that noise above 85 dB for a sustained period (>8 hours) is related to hearing loss. Is 90 dB too high? Is there support for a set period of time defined in this bylaw?
- The 14 day period for the public to give concerns has passed, but if there are concerns it will be shown in the vote for this second reading.

RECOMMENDATION TO COUNCIL

It was moved by Councillor Cate Savage and seconded by Councillor Eric Bolland

That Council approve Second Reading to the Noise By-law.

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

5. COUNCILLORS' REPORTS

(a) Councillor's Reports

(1) Councillor John Andrew (absent)

(2) Councillor Eric Bolland

Mayor Snow received Councillor Bolland's verbal report on his activities over the past month. Nothing to report as Valley Waste has not met since the last meeting.

(3) Deputy Mayor Craig Gerrard

Mayor Snow received Deputy Mayor Gerrard's verbal report on his activities over the past month.

(4) Councillor Cathy Maxwell

Mayor Snow received Councillor Maxwell's report on her activities over the past month. Highlights included KCA PTA steeped tea fundraiser, cafeteria issues and the upcoming Christmas wreath fundraiser.

Report available

(5) Councillor Cate Savage

Mayor Snow received Councillor Savage's report on her activities over the past month. Highlights included the Active Kings campaign, the investment advisory committee, regional sewer committee, and local events.

Report available

(6) Councillor Lynn Pulsifer

Mayor Snow received Councillor Pulsifer's report on her activities over the past month. Highlights included a presentation about Ryan's Park with the accessibility committee, and a meeting about the Town's accessibility plan.

Report available

(b) Mayor Sandra Snow

Mayor Snow submitted her report on her activities over the past month. Highlights included the Valley Regional Enterprise Network, Kentville Business Community under the gazebo ghost walk and their annual general meeting, and the municipal election.

Report available

RECOMMENDATION TO COUNCIL

It was moved by Councillor Cate Savage and seconded by Councillor Lynn Pulsifer

That the reports from Council and the Mayor be accepted as presented.

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

(c) Recognition of Outgoing Councillors

Mayor Snow presented certificates of appreciation to the outgoing Councillors Andrew, Bolland and Pulsifer from the Town, and a long service award to Councillor Bolland on behalf of the Nova Scotia Federation of Municipalities.

6. SWEARING IN OF NEW COUNCIL

(a) Returning Officer Report

CAO Smith presented the Returning Officer report on the 2020 Municipal Election in the Town of Kentville.

(b) Declaration of Election Results

CAO Brian Smith reported that Pursuant to Section 129 of the Municipality Elections Act, from an election having been held in the Town of Kentville on October 17th, 2020, for the term of office from November 2020 to November 2024, I hereby declare the following individuals to have been elected:

Mayor Sandra Snow
Councillor Craig Gerrard
Councillor Paula Huntley
Councillor Catherine Maxwell
Councillor Catherine Savage
Councillor Gillian Yorke
Councillor Andrew Zebian

(c) Swearing in of Mayor

Town Clerk Brian Smith swore in Mayor Sandra Snow for the 2020-2024 term.

(d) Swearing in of Council

Town Clerk Brian Smith swore in the following Councillors for the 2020-2024 term:

Councillor Craig Gerrard
Councillor Paula Huntley
Councillor Cathy Maxwell
Councillor Cate Savage
Councillor Gillian Yorke

Councillor Andrew Zebian

(e) CAO's Welcome to New Council

CAO Clerk Brian Smith gave a welcome address to the incoming Council, on behalf of town staff. Directors Bedingfield, Bell, Cecchetto, Crowell and Gentlemen attended via Zoom.

(f) Mayor's Thanks and Welcome to New Council

Mayor Sandra Snow addressed the outgoing Council to give appreciation for their service, welcomed the new Council and thanked CAO Smith and all staff.

7. NEW BUSINESS

(a) Election of Deputy Mayor

CAO Smith described the process of electing a Deputy Mayor and recommended postponing this vote until the November Council meeting.

It was moved by Councillor Cathy Maxwell and seconded by Councillor Cate Savage

That Council postpone the selection of the Deputy Mayor until a Special Council Meeting in November.

MOTION CARRIED

Councillors who voted in favour of this motion: Gerrard, Maxwell, Huntley, Savage, Snow, Yorke and Zebian

8. CORRESPONDENCE

(a) Annapolis Valley Regional Library – October 19, 2020

CAO Smith read the letter from the AVRL sharing appreciation for the service of Lynn Pulsifer on their board, and asking for the Town to provide a representative to sit on their board.

Letter available

(b) Central Kings Community Health Board – October 7, 2020

CAO Smith read the letter from the CKCHB outlining their support for a name change from Cornwallis Street.

Letter available

(c) Central Kings Community Health Board – October 7, 2020

CAO Smith read the letter from the CKCHB describing their appreciation to the Department of Parks and Recreation for their new programs, activities and events during the pandemic.

Letter available

8. PUBLIC COMMENTS

No public comments received.

10. ADJOURNMENT

It was moved by Councillor Cate Savage

That the October 28, 2020 meeting of Council be adjourned at 7:04 p.m.

MOTION CARRIED

TOWN OF KENTVILLE COUNCIL MEETING

Meeting Minutes: November 9, 2020

1. ROLL CALL

Mayor Snow called the meeting to order at 8:15 p.m., and Interim Chief Administrative Officer (CAO) Brian Smith reported the following members of Council and staff were present:

PRESENT

Council:

- Mayor Sandra Snow
- Deputy Mayor Craig Gerrard
- Councillor Paula Huntley
- Councillor Cathy Maxwell
- Councillor Cate Savage
- Councillor Gillian Yorke
- Councillor Andrew Zebian

Staff:

- Brian Smith, Interim Chief Administrative Officer
- Jason Bethune, IT Manager
- Geoff Muttart, Solicitor
- Jennifer West, Recording Secretary

2. APPROVAL OF AGENDA

It was moved by Councillor Cate Savage and seconded by Councillor Andrew Zebian

That the agenda of the Special Meeting of Council on November 9, 2020 be approved as presented.

MOTION CARRIED

3. NEW BUSINESS

(a) Committees of Council

CAO Smith reviewed committees of Council and the process of appointing Councillors to each group.

See attached report for details

- **Points of Discussion**
 - Councillor Maxwell stated for the record that she was disappointed in the process of selecting committees.
 - Discussions about the terms of committees, and committees which are only occasionally active.

It was moved by Councillor Cate Savage and seconded by Councillor Paula Huntley

That Council approve the committees of Council appointments as presented.

MOTION CARRIED

Councillors who voted in favour of this motion: *Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian*

2. ADJOURNMENT

It was moved by Councillor Cate Savage

That the November 9, 2020 Special Meeting of Council be adjourned at 8:26 p.m.

MOTION CARRIED

DRAFT



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Re: General Insurance Recommendation

At the November 9, 2020 meeting of Council Advisory Committee, Director Crowell presented her report outlining the contract term for the Town's general insurance and risk management services, and the benefits of extending this contract by one year.

That Council Advisory Committee recommend for approval

That Council extend its relationship with BFL Canada for General Insurance and Risk Management Services for one year – April 1, 2021 to March 31, 2022.



Memo

To: Brian Smith, Interim CAO
From: Debra Crowell, Director of Finance
Date: October 29, 2020

Re: TOWN OF KENTVILLE GENERAL INSURANCE & RISK MANAGEMENT SERVICES- APRIL 1, 2021

BACKGROUND

On March 20, 2017, Kentville Town Council ratified the ***General Insurance & Risk Management Services*** recommendation sent forth from Council Advisory Committee earlier that month. **BFL Canada Risk and Insurance Inc.** was the successful firm & was awarded a four (4) year term beginning April 1, 2017. This appointment expires March 31, 2021.

Typically, the Town would release a ***Request for Proposals*** (RFP) document for General Insurance & Risk Management Services in early January 2021 for coverage April 1, 2021 and beyond.

DISCUSSION

With the 20/21 renewal, the Town was informed that (globally) insurance buyers face upward pricing pressure across most lines of business stemming from a range of hazards such as *#Me Too* litigation, wildfires and increasing occurrence of class action lawsuits. In addition, record natural catastrophe losses over the past 3 years have made the past three years the costliest years for insurers.

In Canada, municipalities are seeing more weather-related losses, as the reality of climate change means more unpredictable and volatile weather patterns. Additionally, Canadian municipalities continue to be plagued by adverse claim trends in the municipal sector, increasing damage awards and class-action lawsuits. Our Liability premiums increased in 20/21 as a result of increased costs of claims settlement for Canadian municipalities and **adverse claims development for the Town.**

Presently the Town has several outstanding liability claims with our current provider, which must be disclosed as part of a Request for Proposal process. In addition, we do not know the extent to which the COVID-19 pandemic and other catastrophic environmental events this past year will affect the supply of municipal insurance.

Insurance companies for all sectors have put stricter rules in place regarding the amount and breadth of coverage they will provide and to which clients. Because the overall supply of insurance supply is reduced, the demand for insurer capacity is increasing and, as such, prices are elevating. In 2019 and 2020, insurance carriers have disappeared with JTL being purchased by Marsh and the Frank Cowan Company was purchased as part of an acquisition by Intact Insurance. It is not known how these transactions will affect the market.

Because of the above-noted uncertain facts, it may be prudent for the Town to extend its affiliation with **BFL Canada** for another year, at least until the effects of the COVID-19 pandemic have begun to stabilize.

BFL Canada is open to a continued relationship with the Town in 2021 and it does not anticipate issues as to the choice of limits values and types of coverage. Based on recent municipal renewals just booked by BFL, I am told that premiums have increased. BFL anticipates +10% on property including inflationary/value increases, 30-40% on the auto portion and 10-15% on liability. (However, who knows what the next few months will bring. We are in uncharted territory.)

Translating the *maximum* anticipated pricing increases to the Town's 2020/21 premium as an estimate, the net increase by fund could be as follows:

Town Operating:	+ \$24,200
Sanitary Sewer Operating:	+ \$2,300
Water Utility Operating:	+ \$3,900

RECOMMENDATION

I recommend to Council Advisory Committee that the Town of Kentville extend its relationship with **BFL Canada** for General Insurance and Risk Management Services for one year- **April 1, 2021 to March 31, 2022.**



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Re: Special Events Bylaw – Covid-19 Adjustments

At the November 9, 2020 meeting of Council Advisory Committee, Director Gentleman presented her report outlining the need for a new Bylaw (Chapter 101) that would address changes approved by Council in May 2020. These changes would accommodate 5 additional special events in 2021 at the Healy property which could not happen in 2020 due to the Covid-19 pandemic.

Council Advisory Committee recommends for approval

That Council approve First Reading of the proposed resolution and special events Covid-19 amending Bylaw to Council for First Reading on November 30, 2020.

Kentville

RESOLUTION RE: THE ADOPTION OF THE SPECIAL EVENTS COVID-19 AMENDING BYLAW TO ALLOW FIVE (5) ADDITIONAL SPECIAL EVENTS PER PROPERTY IN 2021

WHEREAS the COVID-19 pandemic has significantly curtailed the opportunity for Special Events in the year 2020;

AND WHEREAS the Special Events Bylaw limits to 15 the total number of Special Events per year per property;

AND WHEREAS Council wishes to minimize the negative commercial effects of the pandemic;

THEREFORE BE IT RESOLVED THAT the Special Events Bylaw be amended by adopting the attached Special Events COVID-19 Amending By-law, Chapter 101

I hereby certify that this Resolution
was adopted by Kentville Town Council on
2021

Town Clerk



**TOWN OF KENTVILLE BY-LAW
CHAPTER 101
SPECIAL EVENTS COVID-19 AMENDING BYLAW**

1.0 TITLE

This by-law may be cited as the Special Events COVID-19 Amending By-law.

2.0 AMENDMENT

The Special Events By-Law is amended by inserting the following clause immediately following clause 5.9:

5.9A Notwithstanding clause 5.9, no more than 20 Special Events per property shall be permitted in the year 2021

3.0 EFFECTIVE DATE

This Bylaw will become effective upon publication.

CLERK'S ANNOTATION FOR OFFICIAL BY-LAW BOOK

Date of first reading:

Date of advertisement of Notice of Intent to Consider:

Date of second reading:

*Date of advertisement of Passage of By-Law:

Date of mailing to Minister a certified copy of By-Law:

I certify that this Special Events Bylaw Covid-19 Amending Bylaw, Chapter 101 was adopted by Council and published as indicated above.

*Effective Date of the By-Law unless otherwise specified in the By-Law



TO: Council Advisory Committee
FROM: Beverly Gentleman, Director of Planning and Development
DATE: November 9, 2020
SUBJECT: Special Events COVID-19 Amending Bylaw

ORIGIN

Jess Healy has been promoting their family property at 439 Prospect Ave as a place to rent for special events such as weddings and other similar private gatherings, under the provisions of the Special Events Bylaw, Chapter 96 since 2016. One of the conditions of the Bylaw is limiting the use of the property to a maximum of 15 events per year.

COVID-19 put an incredible stain on the wedding industry and other special events and gatherings during the peak season of 2020. As a result, Healy Events have had to cancel most of their weddings during this time. In May 2020 Jess Healy submitted a letter requesting that Council approve adding 5 additional events for the 2021 year due to their loss of available dates during the 2020 year of COVID-19. Council did approve that her request, and now a bylaw amendment is required to confirm that decision (Please note there were other requests outlined in the letter that will be addressed in a separate report)

ATTACHMENTS

- Council meeting minutes May 25, 2020
- Letter of request from Healy Farms
- Resolution and Special Events Covid-19 Amending Bylaw

DISCUSSION

To facilitate this request, a new Bylaw is recommended that address the additional 5 events for the year 2021

RECOMMENDATION

I recommend that CAC forward the proposed Resolution and Special Events COVID-19 Amending Bylaw Chapter 101 to Council for First Reading.

- **Points of Discussion**

- Council should consider supporting commercial businesses to succeed through this pandemic.
- Mr. Murphy will take over responsibility for the property.

RECOMMENDATION TO COUNCIL

It was moved by Councillor Cate Savage and seconded by Councillor John Pulsifer

That Council approve the concept of use of public space to increase commercial space in principle.

MOTION CARRIED

Councillors who voted in favour of this motion: *Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

8. NEW BUSINESS

(a) Valley Community Learning Association Request

Councillor Andrew leaves the meeting due to a stated conflict of interest. Councillor Andrew withdrew from the discussion as a Conflict of Interest, by shutting off his audio and video, he remained in the Zoom meeting.

Mayor Snow reviewed the letter to Council outlining the VCLA interest in developing the property at 118 Oakdene Avenue in Kentville to support this organizations programs.

Report Available

- **Points of Discussion**

- Is this a zoning change or a development agreement? It would be an MPS and LUB site specific amendment. This is not a zoning change, but it would be an agreement with this group.
- The building offers many opportunities for this organization.

RECOMMENDATION TO COUNCIL

It was moved by Councillor Eric Bolland and seconded by Councillor Cate Savage

That Council approve consideration and support of the necessary changes to the Land Use Bylaw and the Municipal Planning Strategy to facilitate the Valley Community Learning Association move of the adult learning centre to 118 Oakdene Avenue.

MOTION CARRIED

Councillors who voted in favour of this motion: *Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow*

Councillor Andrew returns to the meeting

(b) Request for Amendment to Special Events Bylaw

Mayor Snow reviewed the requests to amend the Special Events Bylaw, submitted by Jessica Healey. Ms. Healy would like to add 5 more special events annually (currently the Bylaw permits 15 events). If this is not permitted, she would like to move 5 events cancelled due to COVID-19 from 2020 to 2021. Finally, she would like to notify neighbours once a season rather than each event.

Report Available

RECOMMENDATION TO COUNCIL

It was moved by Councillor Eric Bolland and seconded by Councillor Lynn Pulsifer

That Council approve an amendment to the Special Events Bylaw to carry over 5 2020 COVID-19 cancelled events to 2021,

And further that Council refer the request to amend the Bylaw for 20 events per year and one notification per season, to staff for a report detailing the effect on the neighbourhood and any remaining concerns.

- **Points of Discussion**

- What would the “detailed report” include? Noise, traffic, calls to police, and other concerns from the surrounding neighbours. Have these concerns been addressed or are there still concerns in that neighbourhood?
- This is an amendment to a bylaw and must be advertised and given first and second reading. There could be several amendments to this bylaw.
- A public hearing would also be helpful in this request for the community.
- Would there be any impacts from the Stoneridge development to this property? There would be no impacts.
- This bylaw applies to all venues, if any there are any additional venues. Amendment to the bylaw will require first and second reading, public announcement and public hearing.
- The wording of Covid-19 should be used in the preamble but not in the bylaw itself. The bylaw could be amended to show an increase in special events in 2021 and a reduction in number of events thereafter.

AMENDMENT

It was moved by Councillor Eric Bolland and seconded by Councillor John Andrew

That Council approve an amendment to the Special Events Bylaw to permit 20 events in 2021. And further that Council refer the request to amend the Bylaw for 20 events per year and one notification per season, to staff for a report detailing the effect on the neighbourhood and any remaining concerns.

MOTION CARRIED

Councillors who voted in favour of this amendment: Andrew, Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

- The amendment to the bylaw is going to provoke public discussion and engagement.

Councillor Savage leaves the meeting

Councillor Savage returns to the meeting

- Discussion about 1-2 amendments to the Special Events Bylaw
- Council can make this change but the new Council in October may change it back. It is not a contractual agreement with this property owner. If there are problems in the fall, the new Council could change the bylaw again.

RECOMMENDATION TO COUNCIL

It was moved by Councillor Cate Savage and seconded by Councillor Eric Bolland



354 Main Street
Kentville, NS
B4N 1K6

May 18, 2020

Good morning Mayor Snow and Town Council,

First of all and most importantly, I hope this letter finds you all safe and healthy during the ongoing global health crisis.

As mentioned in my previous email, I would like to have the Special Amendment bylaw reassessed and the following applied:

1. Special Amendments to allow an additional 5 weddings totalling 20 weddings per year.
2. Notify the neighbours of events at the beginning of the year instead of 7 days prior to every wedding.

In 2016, I requested an amendment to the Special Event bylaw. At that time I asked for a total of 30 events per year. I have listened to the neighbour's concerns and reduced that amount to an additional 5 weddings per season totalling 20 events per year.

If this request cannot be considered by the council on a permanent basis for the years moving forward, I would like to request a temporary amendment to the bylaw for the 2021 season. As mentioned previously, Healy farms and our clients have been affected by the COVID-19 pandemic. If passed by council, I will have the ability to carry over any cancelled dates due to the ongoing pandemic.

In the past there were concerns regarding noise levels, traffic and property values. Since our last meeting in 2016 I have worked to meet these concerns and incorporate a solution into my business plan.

I work closely with my clients to monitor noise levels prior to and during weddings. Every couple signs a contract agreeing that sound levels will not exceed 55 decibels. At each event I monitor and record sound readings with a sound decibel reader. I keep a record of all readings in an effort to demonstrate to the town and neighbours that we are within reasonable sound levels. In the past two years there have been two instances where the sound levels were slightly above the limit listed in our contract. In both instances our on site commissioner and/or myself addressed the issue immediately by working with the DJs to bring the sound and bass levels down.

Regarding traffic, I have encouraged my clients to use a transit system (such as renting a bus or shuttle service) to transport their guests to and from accommodations in the valley. While not every couple has chosen to use this recommendation, last year 46% of our weddings chose to use this type of transportation.

Finally, if you take a drive up Prospect Ave and around the Deerhaven subdivision, you will notice many new builds and sold properties from over the past few years. This is an indirect measure of property value but it does show the demand to live and build in this desirable neighbourhood remains strong. One might argue that a beautifully maintained farm in the heart of Kentville has had an uplifting effect on the curb appeal of the surrounding area.

Prior to every event, I give advance notice to neighbours within 500 feet of the property. My interactions with these neighbours have been overwhelmingly positive. Many have praised the above changes and have expressed that they have no ongoing issues with my business.

I have made it my top priority as a business owner to ease the concerns of the neighbours and will continue to work hard to co-exist peacefully moving forward.

Thank you for your time and stay safe.

Jessica Healy

Kentville

RESOLUTION RE: THE ADOPTION OF THE SPECIAL EVENTS COVID-19 AMENDING BYLAW TO ALLOW FIVE (5) ADDITIONAL SPECIAL EVENTS PER PROPERTY IN 2021

WHEREAS the COVID-19 pandemic has significantly curtailed the opportunity for Special Events in the year 2020;

AND WHEREAS the Special Events Bylaw limits to 15 the total number of Special Events per year per property;

AND WHEREAS Council wishes to minimize the negative commercial effects of the pandemic;

THEREFORE BE IT RESOLVED THAT the Special Events Bylaw be amended by adopting the attached Special Events COVID-19 Amending By-law, Chapter 101

I hereby certify that this Resolution
was adopted by Kentville Town Council on
2021

Town Clerk



**TOWN OF KENTVILLE BY-LAW
CHAPTER 101
SPECIAL EVENTS COVID-19 AMENDING BYLAW**

1.0 TITLE

This by-law may be cited as the Special Events COVID-19 Amending By-law.

2.0 AMENDMENT

The Special Events By-Law is amended by inserting the following clause immediately following clause 5.9:

5.9A Notwithstanding clause 5.9, no more than 20 Special Events per property shall be permitted in the year 2021

3.0 EFFECTIVE DATE

This Bylaw will become effective upon publication.

CLERK'S ANNOTATION FOR OFFICIAL BY-LAW BOOK

Date of first reading:

Date of advertisement of Notice of Intent to Consider:

Date of second reading:

*Date of advertisement of Passage of By-Law:

Date of mailing to Minister a certified copy of By-Law:

I certify that this Special Events Bylaw Covid-19 Amending Bylaw, Chapter 101 was adopted by Council and published as indicated above.

*Effective Date of the By-Law unless otherwise specified in the By-Law



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Re: Special Events Bylaw – Additional Events

At the November 9, 2020 meeting of Council Advisory Committee, Director Gentleman presented her report outlining the process of reviewing events at the Healy property, and the request to increase the maximum number of events from 15 to 20 annually.

Council Advisory Committee recommends for approval

That Council recommend First Reading of the proposed amendment to increase the number of events to 20 per year to the Special Events Bylaw Chapter 96 to Council for First Reading.



RECOMMENDATION

If it is Council Advisory Committees desire to approve the requested amendment, I recommend that CAC forward the proposed amendments to the Special Events Bylaw Chapter 96 to Council for First Reading. The specific amendment is set out in the following resolution:

TOWN OF KENTVILLE
AMENDMENTS TO
the
SPECIAL EVENTS BYLAW

“BE IT RESOLVED that the Special Events Bylaw, Chapter 96 for the Town of Kentville be amended as follows:

1. Subsection 5.7 is amended by deleting the word “organizer” and replacing it with “Permit Holder”

2. Subsection 5.9 is amended by replacing 15 with 20.



TO: Council Advisory Committee

FROM: Beverly Gentleman, Director of Planning and Development

DATE: November 9, 2020

SUBJECT: Special Events Bylaw Amendment Request

ORIGIN

Jess Healy and Stephen Healy were the impetus for Council adopting a Special Events Bylaw in 2015 to help them in their efforts to promote their property at 439 Prospect Ave as a space to host special events such as weddings and other similar private gatherings.

BACKGROUND

During their first year the property hosted 14 private weddings for folks from across North American and Europe. All the events, which were held between May and October, were a great success. So great, that demand for the following year doubled. Due to the increase in demand, the Healy's requested Council amend the bylaw to increase the number of events per year from 20 to 30. In addition, a less contentious request was to change the notification requirements to adjacent residents from 5 days before each event to once at the beginning of the season. On November 28, 2016 Council gave first reading to the proposed changes and in accordance with the Municipal Government Act (MGA) notice of Councils intent to consider second reading was published in a local newspaper. Prior to second reading on January 30, 2017 several emails and written submissions were received regarding the proposed changes. A synopsis of those comments is attached; the actual submissions can be found on the Council Website on January 30, 2017 Council Meeting.

Council discussed several issues during their deliberations on the amendments. At the conclusion of the meeting Second Reading of the proposed amendment was defeated, so the number of events remain at 15 per year.

DISCUSSION

On May 25, 2020 Council considered another request from the Healy's to:

- Amend the Special Events Bylaw to allow an additional 5 events each year;
- Change the notification requirements to adjacent property owners from at least 5 days prior to each event, to one notification at the beginning of the year; (Legal review advised that there is no need to make any changes to the bylaw regarding the notification requirements

as requested, because there is nothing in the bylaw that would prevent any host from sending out one notice of all events.)

- If amending the bylaw to increase the annual events per year from 15 to 20 was denied, a special allowance to allow for 5 additional events for 2021 due to the impact of COVID-19 during 2020. (This issue has already been addressed with the consideration at CAC November 9, 2020 of the Special Events COVID-19 Amending Bylaw Chapter 101)

Considering the history of the property, staff in consultation with the CAO at the time, felt it was prudent to notify those residents subject to the notification requirements of the Special Events Bylaw directly. A letter and survey were sent out in August 2020.

14 Letters and a Survey were mailed out; 11 were returned.

Response	# of Responses	Adjusted Response	Comments
I agree with increasing the number of events to 20	4	2	2 Invalid - responses from the applicant/beneficiary
I do not agree with increasing the number of events to 20	3	3	
The number of events per year does not concern me either way	4	3	1 Invalid - name and civic address not filled out

Total Number of Respondants	11
------------------------------------	-----------

In addition, 4 emails were received, and are attached to this report

Kentville Police advised that since the Bylaw was adopted in 2015, 2 complaints against the property were received; 1 for a noise complaint in September 2018, and the second for a possible gun shot in February 2020.

ATTACHMENTS

- Letter of request for amendments
- Emails relating to recent request
- Synopsis of comments regarding amendments to the Special Events Bylaw January 2017

RECOMMENDATION

If it is Council Advisory Committees desire to approve the requested amendment, I recommend that CAC forward the proposed amendments to the Special Events Bylaw Chapter 96 to Council for First Reading. The specific amendment is set out in the following resolution:

TOWN OF KENTVILLE
AMENDMENTS TO
 the
SPECIAL EVENTS BYLAW

“BE IT RESOLVED that the Special Events Bylaw, Chapter 96 for the Town of Kentville be amended as follows:

Subsection 5.7 is amended by deleting the word “organizer” and replacing it with “Permit Holder”

Subsection 5.9 is amended by replacing 15 with 20.



354 Main Street
Kentville, NS
B4N 1K6

May 18, 2020

Good morning Mayor Snow and Town Council,

First of all and most importantly, I hope this letter finds you all safe and healthy during the ongoing global health crisis.

As mentioned in my previous email, I would like to have the Special Amendment bylaw reassessed and the following applied:

1. Special Amendments to allow an additional 5 weddings totalling 20 weddings per year.
2. Notify the neighbours of events at the beginning of the year instead of 7 days prior to every wedding.

In 2016, I requested an amendment to the Special Event bylaw. At that time I asked for a total of 30 events per year. I have listened to the neighbour's concerns and reduced that amount to an additional 5 weddings per season totalling 20 events per year.

If this request cannot be considered by the council on a permanent basis for the years moving forward, I would like to request a temporary amendment to the bylaw for the 2021 season. As mentioned previously, Healy farms and our clients have been affected by the COVID-19 pandemic. If passed by council, I will have the ability to carry over any cancelled dates due to the ongoing pandemic.

In the past there were concerns regarding noise levels, traffic and property values. Since our last meeting in 2016 I have worked to meet these concerns and incorporate a solution into my business plan.

I work closely with my clients to monitor noise levels prior to and during weddings. Every couple signs a contract agreeing that sound levels will not exceed 55 decibels. At each event I monitor and record sound readings with a sound decibel reader. I keep a record of all readings in an effort to demonstrate to the town and neighbours that we are within reasonable sound levels. In the past two years there have been two instances where the sound levels were slightly above the limit listed in our contract. In both instances our on site commissioner and/or myself addressed the issue immediately by working with the DJs to bring the sound and bass levels down.

Regarding traffic, I have encouraged my clients to use a transit system (such as renting a bus or shuttle service) to transport their guests to and from accommodations in the valley. While not every couple has chosen to use this recommendation, last year 46% of our weddings chose to use this type of transportation.

Finally, if you take a drive up Prospect Ave and around the Deerhaven subdivision, you will notice many new builds and sold properties from over the past few years. This is an indirect measure of property value but it does show the demand to live and build in this desirable neighbourhood remains strong. One might argue that a beautifully maintained farm in the heart of Kentville has had an uplifting effect on the curb appeal of the surrounding area.

Prior to every event, I give advance notice to neighbours within 500 feet of the property. My interactions with these neighbours have been overwhelmingly positive. Many have praised the above changes and have expressed that they have no ongoing issues with my business.

I have made it my top priority as a business owner to ease the concerns of the neighbours and will continue to work hard to co-exist peacefully moving forward.

Thank you for your time and stay safe.

Jessica Healy

Beverly Gentleman

From: Karen Adamson <Adamson.karen@outlook.com>
Sent: Wednesday, August 12, 2020 9:58 AM
To: Sandra Snow; Beverly Gentleman; Lynn Pulsifer
Subject: Application for events increase

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We were just informed of the receipt of a form letter stating that the Healy's are applying for an increase to their current allowance for events on Prospect Avenue. This form also includes a simple agree/disagree option for feedback. This was received by those properties that are required to be informed in advance of any and all events that are booked at the venue. Although we are not one of those particular properties we are the owners of and reside at property on Prospect Avenue (347) that is close to and directly affected by these events, both in sound/noise carry and the traffic created by them. So we would respectfully request that we be allowed to register our voices to say that we DO NOT agree to an increase to the currently held allowable for the number of events.

Regards, Michael and Karen Adamson

Sent from my iPad

Beverly Gentleman

From: Linda Durling <lindaddurling@hotmail.com>
Sent: Monday, August 17, 2020 10:59 AM
To: Beverly Gentleman; Sandra Snow
Subject: Healey property at top of Prospect

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to express my concern and disapproval about an application presented to Council regarding the Healey property at top of Prospect Avenue here in Kentville, specifically to increase the number of activities allowed to operate during the year.

Two years ago another application was made to Council asking for various extensions to an existing agreement - which to my mind should not have been approved in the first place; however, that is another topic for discussion. There was strong community representation from the Deer Haven/Prospect Avenue area present at the Council meeting on the date the vote was taken, and the community spokesperson expressed our concerns very intelligently to Council. When the vote was taken, the application was denied.

Now, two year later another application has been received by Council, but this area has not changed - it is still the lovely, quiet, residential neighborhood it was before, except when the Healey events take place. The same reason for disallowing the application two years ago still holds today. We do not want any more intrusion of people or noise than already, unfortunately, approved years ago - and how were they able to get that original application approved should be a topic for discussion.

I am not within the area who received notice of this application - just on the fringe, but I certainly hear the music/noise when an event is held and I see the strangers walk past my house.

No More Events Please!

Thank you, Linda Durling and Wayne Durling
34 Deer Haven Drive
Kentville, NS.

14 August 2020

Mayor Snow,

Members of Kentville Town Council:

I find myself compelled once again to write you regarding the Chapter 96: Special Events by-law. I am led to believe that application has been made to expand the provisions of this rule.

My opposition to this rule, as written, and any expansion of it remains resolute. Please allow me to be clear. I am not opposed to carefully governed NON COMMERCIAL Special Events hosted on residential property.

I will be brief and spare you all of my thoughts on this matter. Suffice to say, the fact that the town has a poorly crafted rule on the books that provides a financial benefit to one property at the expense of an entire subdivision is troubling. To date, I have attempted to be a good neighbour and have tolerated the noise and inconveniences of the commercial endeavours emanating from the property on Prospect Avenue. Repeated efforts to expand this blatantly unfair situation are simply unacceptable. I very much doubt that my patience will continue.

I have the **RIGHT** to the peaceful enjoyment of my property. That right has been enshrined by far higher authorities than any Town Council. No right exists for the commercial use of Residential land in the manner being conducted in this case and the subrogation of the rights of others.

My family and I will not live feeling that we have constantly to be on guard against those who wish to infringe on our rights and disturb our way of life.

Never hesitate to contact me should you require additional information or wish to discuss any issue.

Respectfully

A. T. Houston

20 Deer Haven Drive

Kentville, N.S.

B4N 0B9

Aug. 17, 2020
362 Prospect Ave.
Kentville, N.S.
B4N 5R6
902-678-9177

Mayor Sandra Snow
and Town Councilors

I would like to address some of my concerns regarding Jean Hestep's request to increase the Special Events from 15 to 20 events.

The value of my property and all properties in the area will certainly decrease in value. 20 events will take up most of the weekend summer evenings. The traffic will certainly be increased, 2 days before the event and 2 days after. The dust from the dirt road is very bad now covering the windows, doors, furniture & plants. The music starts early afternoon and is quite loud at times. Nobody wants to listen to someone about music, or the speeches.

This summer there has been people on a couple occasions taking graduation pictures and on Aug. 13, 2020 just before 8 pm there was wedding pictures being taken. Has the town been advised that this is happening? When this takes place it should be closed as an event. The house is also being rented on air B+B.

Please take into consideration my position and all the residents on Prospect Ave. as well as Deer Haven before you grant this request. We cannot change what has been done but we can protect our future.

Yours Truly

Pauline Baines

Please circulate this letter to all councilors

Correspondence Regarding the proposed Special Events By-Law Amendment

	Name	Address	Comments and Concerns	Type	Date	Council Mtg
1	Adamson, K&M	347 Prospect Ave.	Concerns about noise, traffic, property values, resale potential, future expanding operations	Email	Nov. 18, 2016	Nov. 28, 2016
2	Andrews, D.	American Hockey League	Comments about operations, economic development.	Letter	Jan. 26, 2017	Jan. 30, 2017
3	Barnes, P.	362 Prospect Ave.	Concerns about traffic, proximity to youth facilities, noise, property value, privacy, number of event capped at 15.	Letter	Nov. 21, 2016	Nov. 28, 2016
4	Blanchard, J&D	Jason's Independent Grocer	Comments about economic development, community businesses	Email	Jan. 25, 2017	Jan. 30, 2017
5	Brown, A&K		Comments about unique business, economic development, professional operations)	Email	Jan. 24, 2017	Jan. 30, 2017
6	Brown, J.E.		Comments about operations, economic development	Email	Jan. 25, 2017	Jan. 30, 2017
7	Brown, P.	Deer Haven/ Beech Hill	Concerns about noise, disruption, public consultation process	Email	Nov. 27, 2016	Nov. 28, 2016
8	Butler, G&E	142 Prospect Ave.	No concerns about traffic or noise	Letter	Jan. 13, 2017	Jan. 30, 2017
9	Campbell, D.		Concerns about traffic, noise, impact on quiet neighborhood	Email	Jan. 18, 2017	Jan. 30, 2017
10	Craig, D&A	253 Prospect Ave.	Comments about economic development, unique business, and tourism	Email	Jan. 19, 2017	Jan. 30, 2017
11	Crowell, H&J		Concerns about impact on quiet neighborhood	Email	Jan. 17, 2017	Jan. 30, 2017

	Name	Address	Comments and Concerns	Type	Date	Council Mtg
12	Durling, L&W	34 Deer Haven Dr.	Concerns about noise, traffic, strangers	Letter	Jan. 10, 2017	Jan. 30, 2017
13	Finn, D.	930 Charles St.	Comments about local wedding venue, economic development, tourism, respectful operation	Email	Jan. 24, 2017	Jan. 30, 2017
14	Foley, H&L	39 Deer Haven Dr.	Concerns about impacts on retirement lifestyle, noise, traffic, special event vs. event business	Letter	Jan. 24, 2017	Jan. 30, 2017
15	Goodwin, C.	27 Deer Haven Dr.	Concerns about lack of public consultation, noise, traffic	Email	Jan. 18, 2017	Jan. 30, 2017
16	Gould, A.	114 Prospect Ave.	Comments about operation of facility, economic development	Letter	Jan. 24, 2017	Jan. 30, 2017
17	Harvie, N.	ENVE Hair	Comments about benefits to other businesses	Email	Jan. 23, 2017	Jan. 30, 2017
18	Henderson, T.S.	261 Prospect Ave.	Comments about support of local businesses, professional operations	Letter	Jan. 25, 2017	Jan. 30, 2017
19	Houghton, D&D		Comments about tourism, economic development, operations	Email	Jan. 23, 2017	Jan. 30, 2017
20	Houston, A.	20 Deer Haven Dr.	Comments about special events vs. event business, blanket annual approval for any event, noise, alcohol, undermining of zoning laws, property values, impact on retirement lifestyle	Email	Jan. 18, 2017	Jan. 30, 2017
21	Hughes, J.		Comments as a Healy staff, professional operations, respect for neighbors	Letter		Jan. 30, 2017
22	Hughes, P&S	Prospect Ave.	No concerns about number of events,	Email	Nov. 20, 2016	Nov. 28, 2016

	Name	Address	Comments and Concerns	Type	Date	Council Mtg
			noise, traffic, operations			
23	Kehoe, S.	29 Alicia Blvd.	No concerns about event traffic, respect for neighbors, noise, support for economic development	Email	Jan. 25, 2017	Jan. 30, 2017
24	LeCotey, R&N	47 Deer Haven Dr.	Concerns about number of events per year	Letter	Jan 13, 2017	Jan. 30, 2017
25	Lefebvre, A.	Woodbury	Comments about operations and Healy family	Letter	Jan. 25, 2017	Jan. 30, 2017
26	Levesque, C&D		Concerns about impacts to retirement lifestyle, property values	Email	Jan. 19, 2017	Jan. 30, 2017
27	Lucas, S.	15 Lacewood Dr.	Comments about economic development, unique business	Letter	Jan. 21, 2017	Jan. 30, 2017
28	Mader, C&C	341 Prospect Ave.	Concerns about number of events, noise, traffic, impacts on quiet neighborhood	Email	Nov. 24, 2016	Nov. 28, 2016
29	Mader, V&A	126 Prospect Ave.	Comments about professional operations, economic development, tourism	Letter	Jan. 13, 2017	Jan. 30, 2017
30	Martell, A.	Healey Client	Comments about economic development, professional operations	Email	Jan. 18, 2017	Jan. 30, 2017
31	McCann	38 Deer Haven Dr.	Concerns about traffic, noise, types of events, impact on property values, policing, lack on public power	Email	Nov. 21, 2016	Nov. 28, 2016
32	Moore, B.		Comments on unique venue, economic development	Email	Jan. 17, 2017	Jan. 30, 2017
33	Morse, G.	8999 Commercial Street, New Minas	Comments that events would not impact property values	Letter	Jan. 27, 2017	Jan. 30, 2017

	Name	Address	Comments and Concerns	Type	Date	Council Mtg
34	Mullen-Ludlow, K. and Ludlow, P.	20 Colonial Ave.	Comments about the proposal supporting economic development	Letter	Jan. 26, 2017	Jan. 30, 2017
35	Pushkarna, D.		Comments about economic development, unique business	Email	Jan. 23, 2017	Jan. 30, 2017
36	Smith, C.		Comments about unique business, economic development	Email	Jan. 25, 2017	Jan. 30, 2017
37	Smith, G.	13 Fox Hollow Dr., Party Central	Comments about unique business, respect for neighbors, economic development, no concerns about traffic or noise	Email	Jan. 16, 2017	Jan. 30, 2017
38	Swetnam, R.	Ryan Swetnam Audio Visual Services	Comments about economic development	Email	Jan. 25, 2017	Jan. 30, 2017
39	Tasker, J.	Canoe Realty	Comments about reasonable traffic and noise, positive impact on economic development	Letter		Jan. 30, 2017
40	Thimot, P.	236 Belcher St., NSCC instructor	Comments about collaboration with NSCC, professional operations	Email	Jan. 25, 2017	Jan. 30, 2017
41	Waterbury, J.	179 Belcher St., Valley Signature Smiles	Comments about unique business, respect for neighbors, tourism, economic development	Letter	Jan. 25, 2017	Jan. 30, 2017
42	White, D.	339 Prospect Ave.	Comments on the impact on quiet neighborhood	Email	Jan. 17, 2017	Jan. 30, 2017
43	Woodworth, B.	35 Deerhaven Dr.	Concerns about traffic, noise, commercial activity in residential zone	Email	Nov. 27, 2016	Nov. 28, 2016



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Re: Valley Waste Bylaw

At the November 9, 2020 meeting of Council Advisory Committee, CAO Smith reviewed the existing Valley Waste Bylaw and the need to repeal the document and create a new bylaw that better reflects current directives, appointment of enforcement, and schedules.

That Council Advisory Committee recommend for approval

That Council recommend First Reading of the proposed bylaw to Council for First Reading for November 30, 2020 Council meeting and further that Second Reading be scheduled for January 30, 2021, and further that existing Bylaw Chapter 92 be repealed upon adoption date of the draft Valley Waste Bylaw.



TO: Council

SUBMITTED BY: Brian T. Smith, Interim Chief Administrative Officer

DATE: November 9, 2020

SUBJECT: Valley Waste Bylaw – Repeal and Replace

ORIGIN

Section 325 of the *Municipal Government Act* authorizes municipalities to adopt a solid waste bylaw. The Town of Kentville has a bylaw for solid waste dated February 15, 2012. All parties in Valley Waste are required to have common Bylaws.

BACKGROUND

The Valley Region Solid Waste-Resource Management Authority (Valley Waste) prepared a draft bylaw for consideration of its Municipal owners (Parties). Subsequently, the County of Kings undertook a review of the draft with two primary objectives:

1. To the extent possible, ensure that the proposed Bylaw will withstand any legal challenges; and
2. Incorporate the operational requirements of Valley Waste.

DISCUSSION

The County of Kings review of the Bylaw identified three specific areas that require the Town to repeal and replace our existing Bylaw with the attached. The changes to the Bylaw would streamline processes and clarify Valley Waste’s role in regional solid waste management. The draft Town Bylaw has Valley Waste:

- **Recommending Directives for Council approval;**
Although Council approved Directives through the original Bylaw approval process, the updated Bylaw includes the Directives as a Schedule to the Bylaw, forming part of the Bylaw that is in force and effect.
- **Recommending to the Town the Bylaw Enforcement Officer(a) to be appointed by Town Council;**
Council’s practice has been to appoint the Bylaw Enforcement Officer of Valley Waste to provide authority within the Town’s jurisdiction to enforce the Valley Waste Bylaw, although this was not stated in previous Bylaws. A clause has been added to require the appointment by the municipality to authorize authority.
- **Setting out Schedules 1(a) and 1(b) of the draft Bylaw as delegated authority to Valley Waste.**

The Town should detail the delegation of authority enabled under section 60 of the *Municipal Government Act* to Valley Waste for adoption of rules and fees associated with solid waste facilities and tip fees.

POLICY IMPLICATIONS

Administrative requirements to update the Town Bylaw, and echo similar Bylaws for all municipal partners in Valley Waste.

BUDGET IMPLICATION

No financial impacts from the proposed revisions.

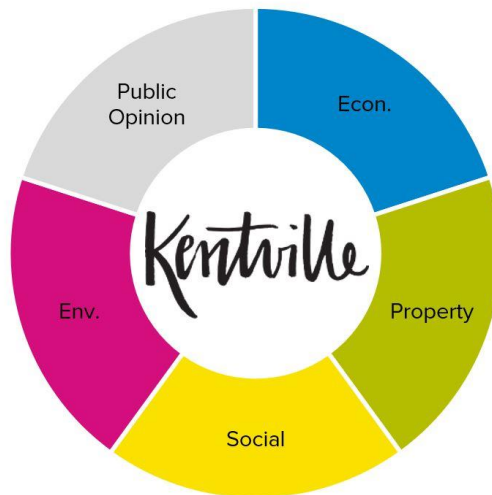
ATTACHMENTS

Draft, Valley Waste Solid Resource Waste Management Bylaw 103

RECOMMENDATION

That Council adopt the proposed Bylaw, with First Reading scheduled for November 30, 2020, and Second Reading (adoption) scheduled for January 30, 2021. The existing Bylaw should be subsequently repealed upon adoption date of draft Bylaw.

Town of Kentville Decision Wheel:



TO: Council

SUBMITTED BY: Brian T. Smith, Interim Chief Administrative Officer

DATE: November 9, 2020

SUBJECT: Valley Waste Bylaw – Repeal and Replace

ORIGIN

Section 325 of the *Municipal Government Act* authorizes municipalities to adopt a solid waste bylaw. The Town of Kentville has a bylaw for solid waste dated February 15, 2012. All parties in Valley Waste are required to have common Bylaws.

BACKGROUND

The Valley Region Solid Waste-Resource Management Authority (Valley Waste) prepared a draft bylaw for consideration of its Municipal owners (Parties). Subsequently, the County of Kings undertook a review of the draft with two primary objectives:

1. To the extent possible, ensure that the proposed Bylaw will withstand any legal challenges; and
2. Incorporate the operational requirements of Valley Waste.

DISCUSSION

The County of Kings review of the Bylaw identified three specific areas that require the Town to repeal and replace our existing Bylaw with the attached. The changes to the Bylaw would streamline processes and clarify Valley Waste's role in regional solid waste management. The draft Town Bylaw has Valley Waste:

- **Recommending Directives for Council approval;**
Although Council approved Directives through the original Bylaw approval process, the updated Bylaw includes the Directives as a Schedule to the Bylaw, forming part of the Bylaw that is in force and effect.
- **Recommending to the Town the Bylaw Enforcement Officer(a) to be appointed by Town Council;**
Council's practice has been to appoint the Bylaw Enforcement Officer of Valley Waste to provide authority within the Town's jurisdiction to enforce the Valley Waste Bylaw, although this was not stated in previous Bylaws. A clause has been added to require the appointment by the municipality to authorize authority.
- **Setting out Schedules 1(a) and 1(b) of the draft Bylaw as delegated authority to Valley Waste.**

The Town should detail the delegation of authority enabled under section 60 of the *Municipal Government Act* to Valley Waste for adoption of rules and fees associated with solid waste facilities and tip fees.

POLICY IMPLICATIONS

Administrative requirements to update the Town Bylaw, and echo similar Bylaws for all municipal partners in Valley Waste.

BUDGET IMPLICATION

No financial impacts from the proposed revisions.

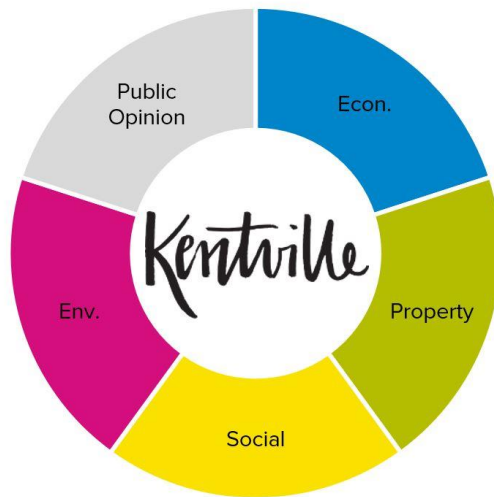
ATTACHMENTS

Draft, Valley Waste Solid Resource Waste Management Bylaw 103

RECOMMENDATION

That Council adopt the proposed Bylaw, with First Reading scheduled for November 30, 2020, and Second Reading (adoption) scheduled for January 30, 2021. The existing Bylaw should be subsequently repealed upon adoption date of draft Bylaw.

Town of Kentville Decision Wheel:





Town of Kentville By-Law Chapter XX Solid Waste Resource By-Law

Contents

1	Repeal	3
2	Definitions	3
3	Valley Region Solid Waste-Resource Management Authority	5
4	Prohibitions	7
5	Source Separation Requirements	8
6	Authority Collection	8
7	Non-Authority Collection and Disposal of Solid Waste.....	12
8	Waste-Resource Management Centres.....	13
9	Offence Enforcement and Penalties	14
10	Clerk's Annotation For Official By-Law Book.....	18

WHEREAS section 325 *Municipal Government Act, 1995 R.S.N.S. c. 18*, as amended (*MGA*), enables Council to make by-laws pertaining to solid waste; and

WHEREAS the Municipality of the Town of Kentville is party to an Agreement under section 60 *MGA*, that created the Valley Region Solid Waste-Resource Management Authority as a municipally owned body corporate;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of the County of Kings hereby enacts as follows:

1 Repeal

Municipal By-Law # 83 Valley Region Solid Waste-Resource Management By-Law is hereby repealed.

2 Definitions

In this By-law:

- 2.1 “Authority” means the *Solid Waste-Resource Management Authority* as defined in provision 2.1 herein;
- 2.2 “Authority Collection” means collection of Solid Waste by or on behalf of the Authority from waste generators pursuant to this By-law and any issued Directives;
- 2.3 “Boxboard” means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or like items, with plastics removed;
- 2.4 “Bulky Items” means large items of a household nature including, without limitation, furniture, stoves, fridges with “CFC-free” sticker on, mattresses, bed springs, barrels, water tanks, dishwashers, Oil Tanks, and pieces of fencing;
- 2.5 “By-law Enforcement Officer” means a person with Special Constable Designation per ss 89 and 90 *Police Act*, employed by the Authority to administer and enforce this By-law;
- 2.6 “Collection Cart” or “Cart” means a cart supplied by the Authority for the Storage of Source-Separated Solid Waste such as an aerated cart for the collection of organic materials;
- 2.7 “Collection Containers” means bags, garbage cans or other containers approved in any Directive;
- 2.8 “Compostable Organics” or “Organics” or Compostables means Food Waste, Leaf and

Yard Waste, Soiled and Non-Recyclable Paper, branches and bushes, natural Christmas trees without decorations and stands and other material of plant or animal origin as set out in any Directive, but does not include whole companion animal or livestock carcasses or parts thereof that may create hazards or nuisance except as approved by the General Manager or designate;

- 2.9 “Construction and Demolition Waste” or “C&D” means materials normally used in the construction of buildings, structures, roadways, walls and other landscaping material, and includes, without limitation, soil, asphalt, brick, mortar, concrete, drywall, plaster, cellulose, fibreglass fibres, lumber, wood, asphalt shingles, and metals;
- 2.10 “Directive” means a provision recommended by the Authority and adopted by the Municipality and as set out in a Schedule to this By-law;
- 2.11 “Dispose” means the actions of dumping, abandoning, placing or leaving or the causing or permitting of any of these actions with respect to any Solid Waste on any property within the jurisdiction of this By-law;
- 2.13 “Dwelling Unit” means a building or a unit with a separate entrance, kitchen, and sanitary facilities in a building, occupied or intended to be occupied as a home or residence by one or more persons but does not include a hotel, motel, guesthouse, inn, or travel trailer;
- 2.12 “Eligible Premises” means those properties within the jurisdiction of the Authority, which are eligible for Authority Collection as set out in any Directive;
- 2.14 “Food Waste” means, without limitation, fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other like items;
- 2.15 “General Manager” means the General Manager of the Authority, the successor to such position, or a designate;
- 2.16 “Hazardous Waste” means solid or liquid waste that may be harmful to humans, animals, plant life or natural resources including, without limitation, industrial chemicals, toxic, flammable, corrosive, radioactive, reactive, pathological and PCB waste, oil, gasoline, paint solvent, wood preservatives, ink, battery acid and pesticides;
- 2.17 “Household Hazardous Waste” or “HHW” means Hazardous Waste generated in households including, without limitation, solvents, glues, cleaners, paints and finishes, asphalt sealers, gasoline, diesel, kerosene, pesticides, lawn and garden chemicals, poisons, propane tanks, roofing tar, pool chemicals, lubricating oil, batteries, and automotive fluids. For the purposes of this By-law, Household Hazardous Waste does not include PCBs, radioactive materials, explosives, fireworks, pathological wastes, and ammunition;
- 2.18 “IC&I Waste” means Solid Waste generated by, from or within any Industrial/Commercial/Institutional Premises.

- 2.19 “IC&I Premises” means a lot of land occupied by one or more industrial, commercial or institutional establishments;
- 2.20 “Litter” means loose Solid Waste items, usually smaller in size, that are distributed over a distance or area, including, without limitation, disposable drink cups, beverage bottles and containers, cigarette boxes, cigarette butts, potato chip bags, and food and candy wrappers;
- 2.21 “Leaf and Yard Waste” means grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings and other like items;
- 2.22 “Multi-Unit Residential Building” means a dwelling containing three or more residential Dwelling Units and may include condominiums;
- 2.23 “Mini-bin” means a small container supplied to Eligible Premises by the Authority for the collection of organic materials prior to deposit in an Organics Collection Cart;
- 2.24 “Notice of Violation or Summary Offence Ticket” means an administrative monetary penalty issued by the Municipality for violating the By-law which, if paid as required, will result in no prosecution for the offence being commenced by the Municipality;
- 2.25 “Occupant” means any person who occupies property, including lands or buildings, and includes a tenant, lessee, roomer, subtenant, under-tenant or co-tenant, or who otherwise occupies or has occupied land or buildings and heirs, assigns and legal representatives;
- 2.26 “Oil Tanks” means residential oil tanks, cleaned and emptied of all liquids that hold a maximum volume of 900 litres;
- 2.27 “Order” means a written direction requiring any person to comply with a provision of this By-law;
- 2.28 “Property Owner” or “Owner” has the same meaning as “Owner” in the *Municipal Government Act* and, for greater clarity, includes a landlord, a lessor, an Owner, the person giving or permitting the occupation of premises, heirs and assigns and legal representatives and, in the case of a corporation, the officers and directors;
- 2.29 “Public Waste” means Solid Waste generated in or on premises where the public is or would normally be responsible for disposing of waste including, without limitation, enclosed or exterior shopping centres, malls, food courts, quick-service or counter-service restaurants, sports arenas, office or other commercial premises, retail premises, private or public parks or campgrounds, and inside or outside public event venues;
- 2.30 “Recyclable Materials” or “Recyclables” means newsprint, corrugated cardboard, Boxboard and other paper products, redeemable beverage containers, milk cartons, glass bottles and jars, steel/tin food cans, aluminum cans, aluminum foil plates, trays and wrap, high-density polyethylene plastic containers (HDPE #2), low-density polyethylene plastic containers (LDPE #4), and polyethylene terephthalate plastic bottles (PET #1), plastic bags (#2 and #4), stretch wrap (pallet wrap) or other items set out in any Directive;

- 2.31 “Residential Premises” means any house, dwelling, apartment, condominium, flat, tenement, mini-home, mobile home, mobile home park, mobile home space or any property that is occupied or may be occupied by an individual as a residence or that part of any such place, and includes any such property or premises occupied by an Owner and family;
- 2.32 “Residual Waste” means any Solid Waste remaining after diversion of Recyclables, Organics and Hazardous Waste or Household Hazardous Waste, tires, and electronics;
- 2.33 “Soiled and Non-Recyclable Paper” means dinner napkins, paper towels and fast food wrappers, wax paper, wrapping paper, soiled pizza boxes, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour and potato paper bags or other like items or such other items that may be set out in any Directive;
- 2.34 “Solid Waste” means Residual Waste, Recyclables, Organics, Compostable Organics, construction and demolition debris, and other discarded materials resulting from residential, commercial, institutional and industrial activities that are commonly accepted at a municipal Solid Waste management facility, but excludes wastes from industrial activities regulated by an approval issued pursuant to the *Environment Act*;
- 2.35 “Source-Separated Solid Waste” means Solid Waste that has been sorted and separated at the point of origin, to facilitate its reuse, recycling, composting or disposal; for greater clarity, references to ‘source separation’ and ‘source separation of Solid Waste’ have the same meaning;
- 2.36 “Special Collection” means an Authority Collection for Bulky Items and such other materials as may be set out in any Directive;
- 2.37 “Storage Facility” or “Storage” means any container, Collection Cart, receptacle, building, structure, enclosure or other facility capable of, or intended to be used for, the temporary holding or storage of Solid Waste;
- 2.38 “Unsorted Solid Waste” means any Solid Waste that is not sorted and separated and contains materials banned from landfill as Directives;
- 2.39 “Valley Region” or “Region” means the Valley Region as defined in the Nova Scotia Solid Waste-Resource Management Regulations and any amendments thereto;
- 2.40 “Warning” means written notice by a By-law Enforcement Officer of contravention or failure to comply with any provision of this By-law, but which is not subject to section 8.0 -Offence Enforcement and Penalties whereby proceedings are instituted; and
- 2.41 “Waste-Resource Management Centre” means a facility operated by the Authority for receiving, storing, sorting and shipping Solid Waste.

3 Valley Region Solid Waste-Resource Management Authority

- 3.1 The *Valley Region Solid Waste-Resource Management Authority*, referenced herein as the Authority, is a body corporate established pursuant to an Intermunicipal Services

Agreement (IMSA) to which this Municipality is party. The municipal parties thereto have delegated responsibility for the management of Solid Waste within their respective jurisdictions, pursuant to section 60 *Municipal Government Act* and the Solid Waste-Resource Management Regulations enabled by the *Environment Act* to the Authority.

- 3.2 Pursuant to the IMSA, it is agreed that each party shall establish and maintain a complementary Solid Waste-Resource Management By-law for the efficient and consistent execution of the Authority mandate throughout the jurisdiction of the municipal parties. Accordingly, this By-law may reference places or facilities within the Region that are beyond the geographical boundaries of this Municipality and it is intended that any such references in this By-law be construed and applied in a manner consistent with the provincially-mandated regional approach to Solid Waste-Resource management.
- 3.3 The General Manager is the chief administrator of and is responsible to the Authority for its proper administration in accordance with provincial legislation and regulations, any Directive, and plans approved and established by the Authority. The General Manager shall be responsible for the administration and enforcement of this By-law.
- 3.4 Directives to supplement and assist with the administration and enforcement of this By-law may be adopted and included as a Schedule hereto, and shall form part of this By-law and shall be subject to the penalty provisions herein.
- 3.5 The Authority shall recommend to the Municipality the appointment of a By-law Enforcement Officer to assist with the administration and enforcement of this By-law. Municipal Council shall consider the recommendation and may approve the appointment by resolution.
- 3.6 For the purpose of administration of this By-law, the General Manager or the By-law Enforcement Officer, or an agent or employee of the Authority so designated by either, may, at any reasonable time, enter and inspect any land or premises, other than a dwelling or a room being used as a dwelling, to verify compliance with this By-law and Directives, and may inspect Solid Waste and any Storage Facility.
- 3.7 The General Manager or the By-law Enforcement Officer may issue an Order directing any person to comply with the provisions of this By-law, including any Directive, in the manner and within the time specified therein.
- 3.8 Any Order or other written direction pursuant to section 3.7 signed by the General Manager or By-law Enforcement Officer, is effective if delivered personally to the person named therein or posted on the premises or if sent by prepaid post or facsimile or email transmission to the most recent known address of the person named and shall be deemed to have been received by such person, in the case of facsimile or e-mail transmission on the day after it was sent and in the case of prepaid post, on the third day after it was sent where receipt is not acknowledged, in the case of posting on the premises, on the day thereof.
- 3.9 It shall be an offence for any person to fail or refuse to comply with an Order signed by either the General Manager or Bylaw Enforcement Officer pursuant to this By-law.

4 Prohibitions

4.1 Illegal Dumping of Solid Waste

4.1.1 No person shall Dispose of or permit the Disposal of, dump, place, leave, abandon, or deposit Solid Waste at any public or private place within the Municipality unless that place is duly licensed to receive and Dispose of that particular category or item of Solid Waste.

4.1.2 Litter is not illegal dumping, and therefore is not within the jurisdiction of this By-law.

4.2 Illegal Dumping of Solid Waste at Authority Waste Facility

No person shall Dispose of Residual Waste or Solid Waste on the lands of a Waste-Resource Management Centre or any other facility licensed to receive any category of waste except during operational hours and only where directed by the Centre or facility.

4.3 Illegal Burning of Solid Waste

No person shall burn Solid Waste in the Municipality in a barrel, stove or other device or in the open as a method of Solid Waste disposal, excepting brush, tree limbs and milled wood that is free from adhesives, coatings and preservatives and, with respect to such products, only where such burning is permitted by law.

4.4 Disposal of Banned Materials

No person shall Dispose of the following materials at any licensed Solid Waste management facility, or Dispose of any such materials in a Storage area, Storage Facility, or collection container intended for Residual Waste disposal in an incinerator or landfill, namely:

4.4.1 Banned by Provincial Regulation

Materials banned from Disposal by provincial regulation, including those materials listed in Schedule B of the Nova Scotia Solid Waste-Resource Management Regulations as amended from time to time;

4.4.2 Banned by the Authority

Materials banned from time to time by this By-law.

4.5 Flow Control

No person shall export or remove from the Municipality Residual Waste, Construction and Demolition Waste, or Unsorted Solid Waste generated within the Municipality unless permitted otherwise by the General Manager or designate, and without limiting the foregoing, transport is permitted only to Waste-Resource Management Centres authorized by the Authority.

4.6 Notwithstanding section 4.5, the Authority may export Residual Waste, Construction and Demolition Waste or Unsorted Solid Waste to approved facilities beyond the jurisdiction of the Municipality.

4.7 Waste Accumulation

No Occupant or Owner of property in the Municipality shall allow, permit or authorize the accumulation of Solid Waste on or around property owned or occupied by them or allow, permit or authorize any uncollected Solid Waste to remain on or around property owned or occupied by them other than in a Storage Facility as approved in this By-law or in any Directive.

4.8 No person shall leave the lid or door of the Storage Facility open except during loading or unloading.

4.9 No person shall place any Solid Waste for collection on a property other than a property owned or occupied by that person, except as permitted by the General Manager or designate.

5 Source Separation Requirements

5.1 It shall be an offence of this By-law to fail to comply with any Directive pertaining to source separation of Solid Waste.

5.2 All Solid Waste being generated by or from any Residential Premises or any IC&I Premises shall be source-separated and packaged in accordance with any issued Directive and shall also comply with this By-law.

5.3 Public Waste

The Property Owner and the Occupant of any premises where Public Waste is generated shall provide common area containers designed to receive and accommodate the quantities of Source-Separated Solid Waste generated on that site, as required by this By-law or any Directive, and shall ensure that such containers are clearly labeled and are accessible to the public, tenants, employees, visitors and Occupants of such premises.

6 Authority Collection

Solid Waste to be collected by or on behalf of the Authority must comply with the provisions of this section.

6.1 Collection Container Placement

6.1.1 Except as otherwise permitted by this By-law, or by the General Manager, Collection Containers shall be placed roadside for collection as close as practicable to the edge of the street or roadway, and no further than five (5) meters from the travelled portion of the street or roadway to facilitate efficient unobstructed collection, accounting for factors such as urban versus rural setting, winter snow clearing operations, ditches, brush, and the like.

6.1.2 All Solid Waste placed for collection shall be in front of and on the same side

of the street or roadway as the Eligible Premises from which it has been generated.

6.1.3 Collection Carts shall be placed roadside in an upright position with the lid closed.

6.1.4 In the case of Multi-Unit Residential Buildings, the Owner shall provide a Storage Facility for Source-Separated Solid Waste in an easily accessible location on the building property in accordance with this By-law, any issued Directive and other applicable municipal requirements. Any collection contractor engaged by the Authority will collect Solid Waste from this location in accordance with source-separation and collection Directives provided it is accessible when the collection truck arrives, and otherwise shall be placed roadside for collection.

6.1.5 Collection will occur on public streets and roads only, except for: private roads identified by the Authority; roads on federal lands in cases where the cost of collection has been paid for by a grant in lieu of taxes or other means; or other roads as designated from time to time by the Authority, provided that all such roads must be in acceptable condition for the collection vehicles.

6.1.6 For all roads not otherwise addressed, collection will occur at the nearest intersection with a public street or road. Source-Separated Solid Waste must be brought to the intersection and placed in accordance with section 6.2 Set-out Times of this By-law; otherwise placement must be in the Solid Waste generator's own permanent Storage Facility or in the closest Storage Facility provided by the Authority for that purpose.

Any such Storage Facility must be in compliance with Storage requirements set out in clause 6.5 Solid Waste Storage.

6.2 Set-out Times

6.2.1 Solid Waste shall be set out for collection only between 7:00 pm the night before and 7:00 am on collection day. In the event of conditions preventing collection, the Property Owner shall remove prior to the end of collection day all Solid Waste not collected and set it out again on the scheduled alternative collection day or the next regularly scheduled collection day.

6.2.2 For Special Collections (Spring and Fall cleanups) Solid Waste for roadside collection shall be set out no earlier than the weekend immediately before the scheduled Special Collection week.

6.3 Removal of Collection Containers and Uncollected Material from Roadside

6.3.1 Removal of Collection Containers

Solid Waste Collection Containers shall be removed or caused to be removed by the Property Owner from roadside by the end of collection day excepting

permanent Solid Waste Storage facilities. Permanent Storage facilities shall comply with this By-law and any issued Directives. Collection Carts shall be removed from roadside and stored on the premises.

6.3.2 Removal of Uncollected Solid Waste

Any Solid Waste not collected for any reason, including, without limitation, Litter in or around any Storage Facility, shall be removed or caused to be removed by the Property Owner by end of collection day and properly sorted, contained, stored and Disposed of in accordance with this By-law.

Where uncollected Solid Waste has not been removed from roadside within 24 hours of collection day's end, and in cases where Solid Waste has been placed roadside outside the permitted time, the General Manager may arrange for the removal and Disposal of such waste and invoice the Property Owner for associated costs. For the purposes of this section and section 507 *Municipal Government Act*, the General Manager shall be deemed to be an employee of the Municipality.

6.4 Directives

The Municipality may adopt as part of this By-law Directives recommended by the Authority respecting the collection of Solid Waste, including, without limitation, the contents, type, nature, location and weight of Collection Containers or Storage facilities. The Directives, if adopted by the Municipality, shall form a part of this Bylaw and it shall be an offence to fail to comply with any such Directive.

6.5 Solid Waste Storage

Solid Waste Storage facilities shall be:

- 6.5.1 Weather-tight and animal-proof with the lid or door maintained in a closed position except during loading or unloading;
- 6.5.2 Capable of accommodating the quantities of Source-Separated Solid Waste generated between collections at that location;
- 6.5.3 Designed and constructed such that Solid Waste remains in a source-separated condition;
- 6.5.4 Easily accessible to all users and easily serviced by the collector;
- 6.5.5 Safe for their intended users; and
- 6.5.6 In cases where Authority Collection is provided at the Storage location, placed to provide unobstructed access over clear ground free of snow, ditches, brush or other obstacles to the Authority Collection truck within five (5) meters of the loading hopper.

6.6 Owner and Occupant Responsibilities for Solid Waste Management

The responsibility for management of Solid Waste in Residential Premises and IC&I Premises is shared by each Property Owner, jointly and severally, and each Occupant, jointly and severally, as follows:

6.6.1 Property Owner Responsibilities

The Property Owner shall:

6.6.1.1 Provide Solid Waste Storage facilities as set out in section 6.5;

6.6.1.2 Where any Storage Facility is inaccessible to the collection truck as required in section 5.5.6 on regular or Special Collection days, ensure that Solid Waste is set roadside in accordance with section 6.2;

6.6.1.3 Maintain any Solid Waste Storage facilities in good repair and in a clean, tidy, and sanitary condition at all times, both inside and outside, including the immediate surroundings; and

6.6.1.4 Ensure that Collection Containers, Storage facilities and uncollected Solid Waste, including Litter produced or resulting from set-out Solid Waste by pests, weather conditions or otherwise, are removed by the end of collection day.

6.6.2 Occupant Responsibilities

The Occupant shall:

6.6.2.1 Source-separate and package all Solid Waste generated in the Occupant's premises as per section 5 of this By-law and issued Directives; and

6.6.2.2 Between collections, place sorted and packaged Solid Waste in the Storage Facility provided by the Property Owner or in their own Storage Facility, as the case may be.

6.7 Inspection and Rejection Guidelines

Solid Waste set out for Authority Collection shall be subject to inspection by the collection contractor or by Authority staff. Solid Waste not in compliance with this By-law or any Directive may be rejected.

6.8 Authority Collection Prohibitions

No person shall:

6.8.1 Pick over, remove, disturb or otherwise interfere with any Solid Waste that has

been set out for Authority Collection except that Solid Waste set out for Special Collections may be removed for salvage or reuse providing that the set-out location must be left in a clean and tidy condition;

6.8.2 Collect Solid Waste placed for collection by the Authority; or

6.8.3 Remove a collection container placed roadside.

These prohibitions do not apply to the person who placed the waste for collection, to the Authority, or to its contractors.

6.9 Suspension of Collection

The General Manager may suspend Authority Collection, upon written notice, at any Eligible Premises where one of the following deficiencies develops until corrected to the General Manager's satisfaction, namely:

6.9.1 An unsafe or potentially unhealthy condition or a nuisance or a potential nuisance related to Storage or collection of Solid Waste;

6.9.2 Persistent violation of any provision of this By-law or any Directives, Orders or other written notice issued pursuant to this By-law; or

6.9.3 Road conditions are unsafe for collection.

7 Non-Authority Collection and Disposal of Solid Waste

The provisions of this section apply to all residential and IC&I Premises generating waste that is unacceptable for Authority Collection or exceeds allowable limits of Authority Collection or which for any other reason is not placed for Authority Collection by the Owner or Occupant, and is managed either by the Owner or Occupant or by another person or corporation for or on behalf of the Owner or the Occupant.

7.1 Solid Waste Removal

The Property Owner or Occupant of premises shall promptly remove and Dispose of all Solid Waste not collected by Authority Collection.

7.2 Solid Waste Storage

7.2.1 The Owner of any premises housing a Storage Facility, or the Owner or user thereof shall each ensure that such Storage Facility is:

7.2.1.1 weather-tight and animal-proof with the lid or door maintained in a closed position except during loading and unloading;

7.2.1.2 capable of accommodating the quantities of Source-Separated Solid Waste

generated between collections at that location;

7.2.1.3 designed and constructed such that Solid Waste remains in a source-separated condition;

7.2.1.4 emptied and cleaned regularly;

7.2.1.5 maintained in good repair and in a clean and tidy condition at all times, both inside and outside, including the immediate surroundings; and

7.2.1.6 clearly labelled with signage for source-separated waste streams.

7.3 No person shall place Solid Waste in any Storage Facility without permission of the Owner of the premises or the Owner or renter of the Storage Facility.

7.4 All Storage facilities are subject to inspection per this By-law.

7.5 The Owner of the premises or the Owner or renter or user of any Storage Facility shall each ensure that all Solid Waste placed in such Storage Facility is source-separated and packaged in accordance with this By-law and any issued Directive.

7.6 Any person collecting, transporting or hauling Solid Waste or any Storage Facility shall ensure that all Solid Waste contained within such vehicle or Storage Facility is delivered to the Waste-Resource Management Centre in a source-separated condition and deposited at the Waste-Resource Management Centre in the designated locations for each type of Source-Separated Solid Waste.

7.7 It is an offense to haul Unsorted Solid Waste to the Waste-Resource Management Centre for Disposal or to fail to deposit each type of Source-Separated Solid Waste in designated locations at the Waste-Resource Management Centre.

8 Waste-Resource Management Centres

8.1 The Municipality delegates its authority as enabled under section 60 *MGA* to the Authority relative to the operation of Waste-Resource Management Centres and related tip fees as depicted in Schedules 1(a) and 1(b) of this By-law, as may be amended from time to time, by the Authority.

8.2 The Authority may recommend Directives to be adopted by the Municipality respecting the efficient, safe and environmentally-sound operation of Waste-Resource Management Centres in the Region and it shall be an offence to fail to comply with any such Directive.

8.3 Inspection and Enforcement

All loads entering the Waste-Resource Management Centre are subject to inspection and enforcement by the General Manager or designate. The General Manager or designate may issue warnings, charge increased tipping fees, impose administrative

fees or revoke privileges of site users for non-compliance with this By-law or any issued Directive.

8.4 No person shall remove Solid Waste from a Waste-Resource Management Centre except as authorized by the General Manager or designate.

8.5 The operator of every commercial collection vehicle entering the Waste-Resource Management Centre site shall produce, upon request of the General Manager or designate, a manifest comprising a customer list whose Solid Waste is on board the vehicle.

9 Offence Enforcement and Penalties

9.1 No person shall contravene or fail to comply with any provision of this By-law.

9.2 This By-law may be enforced, at the discretion of the Municipality, by any peace officer or By-law Enforcement Officer, in accordance with the procedures set out in the *Municipal Government Act* or by means of a Summary Offence Ticket per the *Municipal Government Act* or *Summary Proceedings Act*.

9.3 The *Summary Proceedings Act*, where applicable, shall apply to proceedings under this By-law.

9.4 Except as otherwise provided in this By-law, any person who violates the following provisions of this By-law or who suffers or permits any act or thing to be done in contravention thereof, or who makes any false or misleading statements in relation to any duty, obligation or application pursuant to the following provisions of this By-law, or who refuses, omits, fails to comply with or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by the following provisions of this By-law shall be liable upon summary conviction:

9.4.1 Section 4.8 (failing to close the lid or door of Storage)

9.4.2 Section 4.9 (unauthorized placing of waste for curbside collection)

9.4.3 Section 6.1 (improper collection container placement)

9.4.4 Section 6.2 (improper set-out time)

9.4.5 Section 6.8.1 (interfering with Solid Waste set out for collection)

- a. for the first offence to a penalty of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) or imprisonment for a period of not more than fourteen (14) days or both;
- b. for the second offence to a penalty of not less than two hundred dollars (\$200.00) and not more than seven hundred and fifty (\$750.00) or imprisonment for a period of not more than thirty (30) days or both;
- c. for the third offence to a penalty of not less than four hundred dollars (\$400.00) and not more than one thousand dollars (\$1000.00) or imprisonment for a period of not more than sixty (60) days or both.

9.5 Except as otherwise provided in this By-law, any person who violates the following provisions of this By-law or who suffers or permits any act or thing to be done in contravention thereof, or who makes any false or misleading statements in relation to any duty, obligation or application pursuant to the following provisions of this By-law, or who refuses, omits, fails to comply with or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by the following provisions of this By-law shall be liable upon summary conviction:

- 9.5.1 Section 3.4 (failure to comply with a Directive)
- 9.5.2 Section 3.9 (failure to obey a Warning or other written notice)
- 9.5.3 Section 4.1 (illegal dumping)
- 9.5.4 Section 4.2 (illegal disposal at licensed facility)
- 9.5.5 Section 4.3 (illegal burning)
- 9.5.6 Section 4.4 (disposing of banned Solid Waste)
- 9.5.7 Section 4.5 (removing or exporting Residual Waste or Unsorted Solid Waste)
- 9.5.8 Section 4.7 (accumulating of Solid Waste)
- 9.5.9 Section 5.2 (failure to source-separate solid waste)
- 9.5.10 Section 5.3 (failure to provide for source-separation of Public Waste or label containers)
- 9.5.11 Section 6.3 (failure to remove uncollected containers or waste from roadside)
- 9.5.12 Section 6.6.1 (failure to fulfill Owner Property Owner's responsibilities)
- 9.5.13 Section 6.6.2 (failure to fulfill Occupant's responsibilities)
- 9.5.14 Section 6.8.2 (illegally collecting Solid Waste set out for Authority Collection)
- 9.5.15 Section 6.8.3 (illegally removing Collection Containers)
- 9.5.16 Section 7.1 (failure to promptly remove Solid Waste from premises)
- 9.5.17 Section 7.2 (failure to provide proper waste Storage for non-Authority Collection)
- 9.5.18 Section 7.3 (unauthorized use of Solid Waste Storage)
- 9.5.19 Section 7.5 (Owner's or renters of Storage Facility failure to ensure Solid Waste in Storage Facility is source separated and packaged)
- 9.5.20 Section 7.6 (hauler's failure to keep hauled Solid Waste source separated and packaged)
- 9.5.21 Section 7.7 (hauling Unsorted Solid Waste or failure to deposit Solid Waste in designated locations at Management Centre)
- 9.5.22 Section 8.5 (hauler's failure to provide a manifest)
 - a. for the first offence to a penalty of not less than five hundred dollars (\$500) and not more than five thousand dollars (\$5,000) or imprisonment for a period of not more than thirty (30) days or both;
 - b. for the second offence to a penalty of not less than one thousand dollars (\$1,000) and not more than seven thousand dollars (\$7,000) or imprisonment for a period of not more than forty-five (45) days or both;
 - c. for the third offence to a penalty of not less than two thousand dollars (\$2,000) and not more than ten thousand dollars (\$10,000) or imprisonment for a period of not more than sixty (60) days or both.

9.6 Any person who violates any other provision of this By-law is guilty of a summary offense

and liable to a fine of not less than two hundred and fifty dollars (\$250) and not more than five thousand dollars (\$5,000) or to imprisonment for a period of not more than thirty (30) days or both.

9.7 In any prosecution for an offence under this By-law, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, whether or not the employee or agent is identified or has been prosecuted for the offence, unless the accused establishes that the offence was committed without the knowledge or consent of the accused.

9.8 Where a corporation commits an offence under this By-law, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the violation of this By-law is guilty of the offence and is liable to the punishment provided for the offence, whether or not the corporation has been prosecuted.

9.9 In lieu of prosecution under this By-law, the General Manager or his delegate may, in his sole and absolute discretion, issue to any person he believes upon reasonable grounds has committed an offence under this By-law a Notice of Violation (By-law Ticket), which Notice shall require the person to whom it is directed to pay to the Authority within fourteen (14) days of the issuance of the Notice the sum of one hundred and twenty-five dollars (\$125) for offences listed in section 9.4 and one hundred and seventy five dollars (\$175) for offences listed in section 9.5; and one hundred and twenty-five dollars (\$125) for offences covered by section 9.6. Where a Notice of Violation is issued and if that sum is paid as required therein, no prosecution shall ensue in respect to the matter or matters referred to in the Notice. For greater certainty, nothing in this By-law requires the General Manager or designate to issue a Notice of Violation before initiating a prosecution.

9.10 Every day during which an offence pursuant to section 9.4, 9.5, or 9.6 continues is a separate offence.

9.11 Proof that Solid Waste that is Disposed of anywhere in contravention of this By-law originated from a particular person, from a residence of a particular person, from a particular premises or from a particular vehicle shall be evidence that the person, the Owner, or the current Occupant of said premises or the Owner of the vehicle so Disposed of it in the absence of evidence to the contrary.

When a person is identified as owner of Solid Waste deposited or dumped on a premises in violation of this By-law, the owner, on request of the By-law Enforcement Officer shall, within 48 hours of the request, supply the name and address of the person(s) responsible for the dumping. An owner of Solid Waste deposited or dumped on a premises in violation of this By-law who fails, to supply the requested information shall be guilty of an offense under this By-law.

10 Clerk's Annotation For Official By-Law Book

Date of first reading:

Date of advertisement of Notice of Intent to Consider:

Date of second reading:

*Date of advertisement of Passage of By-Law:

Date of mailing to Minister a certified copy of By-Law:

I certify that this Boundaries Bylaw – Chapter 2 was adopted by Council and published as indicated above.

Clerk

Date

*Effective Date of the By-Law unless otherwise specified in the By-Law

Schedule "A" DIRECTIVES

SOLID WASTE-RESOURCE MANAGEMENT BY-LAW DIRECTIVES

**Pursuant to the
Solid Waste-Resource Management By-law**

Enabled by section 2.4 of the By-law

Approved by Council:

**Solid Waste-Resource Management
By-law Directives**

**Enabled by
Solid Waste-Resource Management By-law**

Introduction

The Solid Waste-Resource Management By-law (By-law) authorizes the Authority to apply and enforce Directives for the effective and efficient management of Solid Waste within the jurisdictions of the municipal unit parties to the *Valley Region Solid Waste-Resource Management Intermunicipal Services Agreement* or *IMSA* (i.e. the Municipality of the County of Kings, and the Towns of Annapolis Royal, Berwick, Kentville, Middleton, and Wolfville (collectively, the parties), or any other municipality who enters the IMSA to contract or designate the Authority to enforce their Solid Waste By-law and Directives.

These Directives are a Schedule to the By-law, forming part of the By-law that is in force and effect.

Section 2.4 of the By-law reads as follows:

2.4 Directives to supplement and assist with the administration and enforcement of this By-law may be adopted and included as a Schedule hereto, and shall form part of this By-law and shall be subject to the penalty provisions herein.

The Directives in this Schedule have been recommended by the Authority pursuant to section 3.4 of the By-law and adopted by the Municipality and may be amended from time to time.

1.0 Banned Materials

Materials Banned from Disposal

Section 4.4 Solid Waste Resource Management By-law names two classes of materials that are banned from disposal in landfill: 1.1 materials banned by Provincial Regulation; and 1.2 materials banned by the Authority. Banned items may be managed as Recyclables, Compostable Organics, Household Hazardous Waste, Hazardous Waste, tires, electronics, or by other means appropriate to the material. Disposal bans are in effect at Authority facilities for the materials listed below.

Materials on the list that are accepted at the Waste-Resource Management Centres must be delivered separated from other garbage. Questions about how to handle specific items should be directed to the Authority at 902-679-1325 or toll free at 1-877-927-8300.

- 1.1 Materials banned from landfill disposal by the provincial Solid Waste-Resource Management Regulations and accepted at the Solid Waste-Resource Management Centres:

- Beverage containers
- Corrugated cardboard
- Newsprint
- Steel/tin food containers
- Glass food containers
- Low Density Polyethylene (LDPE #4) bags and packaging including industrial/commercial/institutional stretch wrap (pallet wrap)

High Density Polyethylene (HDPE #2) non-hazardous containers and packaging such as food containers, detergent containers, shampoo containers, jugs, pails and lids, windshield washer containers, non-hazardous cleaner containers, etc.
 Compostable organic material (food waste, yard waste, Soiled and Non-Recyclable Paper)
 Lead-acid automotive batteries
 Waste paint & their containers
 Ethylene glycol (automotive antifreeze)
 Used glycol
 Glycol containers
 Used oil
 Used oil filters
 Oil containers
 Electronic products specified by the Province

In the event of conflict with the above itemized list and the current policy of Nova Scotia Environment [NSE], NSE governs. Refer to Schedule “B” — Designated Materials Banned from Destruction or Disposal in Landfills and Incinerators in the Nova Scotia Solid Waste-Resource Management Regulations.

1.2 Materials banned from landfill disposal by the Authority and accepted at the Waste-Resource Management Centres:

Polycoat or gable top cartons (milk, juice, soy, rice, etc.) and aseptic cartons (Tetra Pak®)
 All non-hazardous plastic bottles and containers Glossy paper, office paper, and other recyclable and compostable paper products
 Boxboard
 Household Hazardous Waste (HHW)
 Propane tanks
 Expanded polystyrene foam (beaded Styrofoam®)

1.3 Materials banned federally, provincially, or by the Authority and not accepted at the Waste-Resource Management Centres:

Industrial, Commercial, Institutional Hazardous Waste
 Liquid Waste, or Solid Waste saturated to a fluid consistency, which is not part of the HHW program
 Highly combustible or explosive materials, such as celluloid cuttings, motion picture film, gasoline or solvent soaked rags or other combustible residues, ammunition, dynamite, or other similar material
 Medical material that is considered pathogenic or biomedical including anatomical waste, saturated blood-soaked dressings, infected material, and hypodermic needles from physicians, surgeons, dentists or veterinarians
 Whole carcasses of any animal or parts thereof that may create hazards or nuisance except as authorized by the General Manager or designate, except for the bodies of companion animals delivered to the Waste-Resource Management Centre by a municipal animal control officer
 Waste listed or characterized as hazardous by federal or provincial law

- Large pieces of sheet iron, scrap metal or machine parts, automobile bodies and fuel tanks
- Septic tank pumpings, raw sewage or industrial sludge
- Radioactive materials
- Soil and rock, and tree branches and stumps exceeding 15 cm (6 in) in diameter, unless approved by the General Manager or designate
- Manure, kennel waste, excreta, fish processing waste
- Asbestos
- Fuel tanks exceeding 2250 litre (500 gal) capacity
- Hot ashes or cinders
- Used Tires (rim size 24.5 inches or less)
- Specified Risk Materials (SRM) - the skull, brain, trigeminal ganglia, eyes, palatine tonsils, spinal cord and dorsal root ganglia (DRG) of cattle aged 30 months or older, as well as the distal ileum of cattle of all ages. In cattle infected with Bovine Spongiform Encephalopathy (BSE), these tissues contain the BSE agent and may transmit the disease

2.0 Source-Separation

To facilitate recycling and composting of banned materials, all persons in the Valley Region are required to source-separate the waste they generate at permanent, seasonal or temporary Residential Premises, at Industrial, Commercial, and Institutional premises, in public places, and at events held in public places, commercial premises, and other public event venues. Waste must be separated into the following categories: Compostable Organics, Recyclables, Residual Waste, Hazardous Waste, tires, and electronics. The items that compose each of these categories are listed below. For up-to-date sorting information, including proper preparation, see current the Authority sorting lists in the annual calendar on the Authority website (www.vwrm.com), a free Recycle Coach app, or call the Authority office at 1-902-679-1325 or toll free at 1-877-927-8300.

2.1 Organics/Compostable Organics

Food Waste including fruits and vegetables and peelings, table scraps, meat, poultry and fish, bones, shellfish (including shells), dairy products, egg shells, cheese, cooking oil, grease and fat, bread, grain, rice and pasta, coffee grounds and filters, tea leaves and bags, and other similar items

Leaf and Yard Waste including grass clippings, leaves, brush, twigs, house and garden plants, waste potting soil, sawdust, and wood shavings
 soiled Boxboard with all plastics, foil and metal fasteners removed (unless soiled with HHW, paint, petroleum products, etc.) including cereal, shoe, tissue, cracker, cookie, baking product and frozen food boxes (not coated with plastic), paper towel and toilet paper rolls, soiled pizza boxes and waxed corrugated cardboard

Soiled and Non-Recyclable Paper products (unless soiled with petroleum products)

branches and prunings tied in bundles no longer than four (4) feet

Christmas trees with decorations and stands removed; and

Other materials of plant or animal origin, including cat litter (optional), except for whole companion animal or livestock carcasses or parts thereof and Specified Risk Materials (see section 1.0).

2.2 Recyclables

Recyclable Paper

phone books
paper egg cartons and other molded paper products
newspaper
file folders
office paper including shredded paper (bond paper, computer paper, envelopes)
paperback books
cereal boxes and other Boxboard packaging
flyers and magazines
non-waxed corrugated cardboard

Recyclable Containers

milk and juice containers (no caps)
beverage containers (soft drinks, beer, liquor may also be returned to an Enviro-Depot for refund)
tin/steel food cans
aluminum foil plates, trays and wrap
glass bottles and jars (remove lids)
clean and empty plastic bags
all plastic bottles and containers
stretch wrap (pallet wrap)

2.3 Household Hazardous Waste (HHW)

HHW to be delivered at no charge to the HHW Depot at one of the Waste-Resource Management Centres. In general, material with hazardous symbols on the packaging illustrated below shall be considered hazardous.



Toxic



Corrosive



Flammable



Explosive

Examples of Household Hazardous Waste include:

batteries
propane tanks
fluorescent light bulbs
paint, stain, finishes, sealers
motor oil
household cleaners
pool chemicals
pesticides
needles and lancets

2.4 Residual Waste

Examples of Residual Waste include:

- chip bags and candy wrappers
- toothpaste tubes, tooth brushes and floss
- disposable drink cups
- diapers
- toys, clothing and footwear
- incandescent light bulbs, empty spray cans
- feminine hygiene products
- oil and antifreeze containers
- cat litter (optional)
- dog feces
- broken glass
- appliances not considered part of the electronics program
- furniture
- carpet
- Construction and Demolition (C&D) materials
- permitted medical Solid Waste*
- and other items not listed as compostable or Recyclables or as Hazardous Waste

* Permitted medical waste means medical waste that is not medical waste listed in section 1.3 of the Directives.

3.0 Authority Collection

The Authority provides a roadside waste collection program servicing all residential and IC&I Premises within the jurisdictions of the municipal unit parties to the *Solid Waste-Resource Management Intermunicipal Services Agreement*, i.e. the Municipality of the County of Kings, and the Towns of Annapolis Royal, Berwick, Kentville, Middleton, and Wolfville. Solid Waste is collected through the Authority Collection program provided it is source-separated and set out according to the By-law and these By-law Directives.

All Eligible Premises are subject to the same source-separation requirements, set-out limits, and Collection Container requirements. It is the responsibility of the Owner or Occupant to provide for collection and disposal of materials which are not eligible for Authority Collection or which exceed the allowable limits.

3.1 Eligible Premises

The basic unit of Authority Collection is a property, or Eligible Premises. To be deemed an Eligible Premises, a premises must be in compliance with applicable municipal zoning and development requirements, and property taxes levied to date must be paid. In the case of federal lands for which property taxes are not paid, premises may be deemed Eligible Premises if an agreement is in effect to provide waste management services on those lands.

Residential Premises eligible for Authority Collection include self-contained long-term living accommodations containing kitchen facilities in which the Occupant(s) sleep, cook, and eat meals. Each such unit is one Eligible Premises.

Industrial Commercial and Institutional (IC&I) Eligible Premises may include a variety of industrial, commercial or institutional enterprises or organizations including home occupation businesses. An IC&I serviced unit must:

- conform to municipal zoning by-law requirements;
- comprise the entire building, or form a separate business unit within a building containing two or more separate units;
- be an operating business generating waste through activities of that business; and
- be assessed as commercial, resource farm, or another designation excepting residential, or resource forest.

The Owner or Occupant of any Eligible Premises generating waste in excess of the standard collection limits must make arrangements, either through private service providers or using their own resources, to remove and Dispose of their waste materials in compliance with the By-law.

Examples of residential and IC&I Eligible Premises include:

- single detached residential dwellings including mobile homes
- each individual unit in a duplex or semi-detached residential dwelling (under-and-over and side-by-side)
- each individual unit in a Multi-Unit Residential Building (e.g. apartments and condominiums) or in a multi-unit ICI building or in a multi-unit mixed use building
- each individual unit in a row house or townhouse dwelling
- an individual unit in an industrial, commercial or institutional building as defined above
- seasonal residential dwellings (e.g. a cottage)
- church halls, community halls, fire halls, service club halls, and other similar public buildings
- residential dwellings and IC&I Premises on private roads providing that properly sorted and contained waste materials shall be deposited in a drop-off depot designated by Authority for the purpose, or, in the absence of a drop-off depot, placed at the nearest intersection with a public road at the set-out times specified in section 5.2 of the By-law
- public wharves: a wharf is one Eligible Premises
- cemeteries: a cemetery is one Eligible Premises
- seasonal agricultural worker accommodations where Occupants eat, sleep and prepare their meals

3.2 Green Carts and Mini-bins

3.2.1 Cart Distribution

The Authority provides aerated Organics Collection Carts (Green Carts) and kitchen Mini-bins for each Eligible Premises. Green Carts and Mini-bins are assigned to a given Eligible Premises and remain the property of the Authority. In all cases, the Authority supplies the Green Cart and Mini-bin only for the Storage and collection of Compostable Organics from the premises. Green Carts and Mini-bins are assigned as detailed below:

- a single detached permanent, residential dwelling including a mobile home, individual row house, and individual unit in a semi-detached dwelling - one Green Cart and one Mini-bin will be assigned automatically to the property;

each single Industrial, Commercial, or Institutional premises - one Green Cart and Mini-bin will be supplied;
a Multi-Unit Residential Building or condominium building - a sufficient number of Green Carts will be assigned to provide Storage for the amount of Organics generated between collections by all the building's units combined -usually that means one Green Cart for every four units;
A Mini-bin will be provided to each individual apartment unit;
duplexes (side by side or over and under) - one Green Cart will be assigned to each unit;
seasonal homes on private roads - one Mini-bin will be provided to each unit; a Green Cart will only be provided if there is no seasonal waste drop-off depot in the area and the resident places the Green Cart at a public road for collection; and
church halls, community halls, fire halls, service club halls and other similar buildings - one Green Cart and one Mini-bin will be provided on request to each unit

3.2.2 Green Cart Ownership

Green Carts and Mini-bins are and remain the property of the Valley Region Solid Waste-Resource Management Authority. The Green Cart and Mini-bin are registered to the residential or IC&I property, and are assigned to the property. When a property is sold, the Green Cart and Mini-bin shall remain on the property.

3.2.3 Green Cart Exchange

The Authority may from time to time offer more than one size Green Cart to accommodate the varying needs of residents. The standard Green Cart size has a nominal volume of 240 liters. When other Green Cart sizes are available, the current one may be exchanged for one of more suitable size. There is no service fee for this exchange. Green Carts will not be exchanged due to uncleanliness or design preference.

3.2.4 Lost, Stolen or Damaged Green Carts or Mini-bins

If a Green Cart is lost, stolen or damaged, except through normal use, it is the Property Owner's responsibility, subject to the General Manager's discretion, to pay the Authority the replacement cost. If damaged or stolen due to negligence of the collection contractor, it will be the contractor's responsibility to purchase a new Green Cart.

The Authority will replace Green Carts rendered unusable through normal use at no cost.

It is the Property Owner's responsibility to replace lost or broken Mini-bins, except that when a property is sold, the Authority will replace missing or destroyed Mini-bins free of charge at the Owner's request.

3.2.5 Sale of Property

Green Carts are the property of the Authority. Upon the sale of a property, the Green Cart shall remain with the property. The new Owner is responsible for making new Green Cart arrangements with the Authority if necessary.

3.3 Non-Collectable Materials

In addition to all materials detailed in **Section 1.0 Banned Materials**, subsection iii, the Authority will not collect the following materials curbside through the Authority Collection program:

- Solid Waste produced outside the jurisdictions administered by the Authority
- any materials not meeting collection requirements
- items banned by the province from landfill disposal, as per Schedule B of Solid Waste-Resource Regulations; e.g. electronics
- large windows or large glass doors
- items covered under the Authority's Household Hazardous Waste program

3.4 Collection Containers

Waste shall be set out for Authority Collection in the containers and quantities set out below.

Collection Containers must be designed to allow for safe and efficient collection. Collection Containers that do not allow the collector to remove waste in an ergonomically-acceptable manner may be rejected roadside provided the collector affixes a rejection sticker explaining the reason.

3.4.1 Acceptable Collection Containers for Authority Collection

Acceptable Collection Containers for Recyclable Materials shall be:

- Transparent blue plastic bags weighing no more than 15 kg (33 lb.) when full; no wider than 0.8 m (30 inches), and no longer than 1 m (39 inches) when flat
- Bundles of corrugated cardboard: flattened and securely tied or otherwise bound together, weighing no more than 15 kg (33 lb.) and measuring no more than 30 cm by 60 cm by 90 cm (1 foot by 2 feet by 3 feet)

Acceptable Collection Containers for Compostable Organics shall be:

- Organics Collection Carts as assigned to properties by the Authority weighing no more than 100 kg (220 lb.) when full
- Bundles of brush, no more than 60 cm (2 feet) in diameter, securely tied, and weighing no more than 15 kg (33 lb.) with no individual piece of material being more than 5 cm (2 inches) in diameter or longer than 1.2 m (4 feet)

Acceptable Collection Containers for Residual Waste shall be:

Clear Transparent Plastic Bags:

- a. Securely tied and watertight
- b. No wider than 0.8 m (30 inches) , and no longer than 1 m (39 inches) when flat; and
- c. Weighing no more than 15 kg (33 lb.) when full

Each serviced unit may set out one (1) solid-coloured regular plastic garbage bag (e.g. black, green, brown, white, etc.) as a "privacy bag" each collection cycle, to contain private items such as permitted medical waste and other Residual Waste. A clear bag filled with smaller opaque bags is considered one solid-coloured "privacy bag". The privacy bag counts as one Residual Waste container and is subject to inspection for proper source-separation like any other Residual Waste container.

Broken glass shall be safely boxed or wrapped to prevent injury

To prevent Litter created by pests, snow plows, etc., acceptable Residual Waste bags may be set out for collection inside water tight metal or plastic garbage cans which are:

- a. constructed of durable metal, plastic or other impermeable material designed for containment of waste;
- b. equipped with a tight fitting impermeable cover;
- c. equipped with handles in good repair; and
- d. as large as or larger in diameter at the top than at the bottom.

NOTE: The basic Collection Container unit remains the plastic bag (clear or solid-coloured) regardless whether the bag is set out on its own, in a garbage can, or in a Storage bin roadside.

3.4.2 Allowable Number of Collection Containers

The number of Collection Containers allowed per serviced unit per collection is as follows:

1. A total of eight bags of Recyclables and Residual Waste combined;
 - a. Up to eight bags may be Recyclable Materials (in blue bags)
 - b. No more than four bags may be Residual Waste (in clear bags)
 - c. One clear bag may be replaced with a solid-coloured privacy bag – see section 3.4.1, Acceptable Collection Containers for Residual Waste, ii.
2. One Green Cart; except in the case of a Multi-Unit Residential Building where the number of Green Carts allowed shall be the number issued by the Authority to the building in accordance with section 3.2.1 of the Directives;
3. Two bundles of brush; and
4. Two bundles of corrugated cardboard

3.5 Exemptions from Collection Rules

Occasionally, the Occupant(s) of a serviced unit may be unable to comply with Authority Collection rules, for medical or similar reasons. In such cases, after verifying the reasons for the inability to comply, and after confirming that the Occupants are aware of their responsibilities and are complying with the best of their ability, Authority staff may grant an exemption to the normal collection rules.

Staff shall maintain a list of civic addresses where exemptions have been granted and the reasons for the exemptions. The civic address list shall be provided to the Authority Collection Contractor to ensure that collection at exempted address is carried out consistent with the exemptions.

3.6 Curbside Inspection of Solid Waste Setouts

Inspection Guidelines

Authority staff regularly inspect waste materials set out for collection as a means of assessing compliance with the By-law and the source-separation and waste container Directives.

When the Inspector finds improperly sorted or packaged material set out for collection, the inspector may respond with educational tools including leaving the waste with an information sticker, and follow-up communication with the Occupant or Owner of the property.

Repeated subsequent violations, depending on their severity, may result in a more serious penalty as set out in the By-law, such a By-law Ticket or the suspension of the collection service.

3.7 Special Collections

3.7.1 Spring and Fall Clean-up

Bulky Items such as furniture, stoves, mattresses, scrap metal, bed springs, barrels, water tanks, dishwashers, clothes, washers and dryers, pieces of fencing, refrigerators, freezers, air conditioners (with a "CFC refrigerant-free" sticker) and debris from home renovations are not collected roadside during regular Authority Collection days.

The Authority provides Special Collections for Bulky Items. The dates, schedules, and rules for these collections appear on the annual Authority calendar distributed through the jurisdiction of municipal partners and on the Authority website.

Rules for Spring and Fall Cleanup are as follows:

- cleanups are intended for large, bulky and excess Residual Waste only.
- Recyclable Materials and Compostable Organics will not be collected by the clean-up trucks.
- items may be set out for clean-up no earlier than the weekend before the scheduled collection day
- all items must be set out for collection in front of the property where they were generated
- a maximum of 20 items will be collected from each serviced unit
- an item means a single object, bag, container, or securely tied bundle
- a bundle shall measure no more than 120 cm (4 feet) in length
- bagged waste must be placed in clear bags
- corrugated cardboard Cartons are banned from landfill in Nova Scotia and collection crews will empty and leave them for the Owner or Occupant of the serviced unit to recycle
- no more than two of any one appliance type will be collected from any one serviced unit
- items shall weigh no more than 34 kg (75 lb.) each
- certain large items such as furniture and appliances may weigh up to 91 kg (200 lb.)
- items weighing more than 91 kg (200 lb.) will not be collected
- large windows and glass doors may not be collected because of the potential danger to the collection crew if the glass shatters when compacted in the collection truck
- items not collected are the responsibility of the Owner or Occupant and must be removed from roadside at the end of the collection day

3.7.2 Other Special Collections

The General Manager may schedule other Special Collections as approved by the Authority.

3.8 Collection Schedule

Regular roadside Authority Collection of Recyclable Materials, Compostable Organics, and Residual Waste occurs every second week. Details of collection routes are available in the annual Authority Calendar, online at www.vwrm.com, or by phone through the Hotline at 902-679-1325 or toll free at 1-877-927-8300.

Collection will start no earlier than 7:00 a.m. on any collection day, unless otherwise specified.

3.9 Holidays

There shall be no collection on the following designated holidays:

- New Year's Day
- Heritage Day
- Good Friday
- Easter Monday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day

The General Manager will notify the public, in advance, of the designated alternate collection day for each Holiday, normally through the annual calendar. Information is also available online at www.vwrm.com or through the Hotline at 902-679-1325 or toll free at 1-877-927-8300.

3.10 Storm Day Collection

If Authority Collection is cancelled because of a storm, the collection contractor will collect the route the following Monday. If that Monday is a holiday or already scheduled for collection, the General Manager will designate another day.

If the collection contractor begins the day's routes but is called off the road due to inclement weather before completing the routes, no alternate collection day will be scheduled. Collection stops missed due to the cancellation will be granted double collection limits for the next regularly scheduled collection day.

4.0 Hazardous Waste

The Authority Collection program is not designed to collect Hazardous Waste. Residents shall Dispose of Household Hazardous Waste through the Household Hazardous Waste (HHW) Depots operated by the Authority at the Eastern Management Centre or the Western Management Centre.

The Management Centres are not permitted by the Province to accept Hazardous Waste generated in the Industrial, Commercial and Institutional sector. It is the responsibility of the IC&I sector to ensure that their Hazardous Waste is Disposed of in accordance with provincial regulations.

5.0 Public Waste and Special Events

The By-law requires the generator to source-separate their waste. There is no exception for waste generated at a public event where Public Waste is generated, or a private event such as a wedding, family reunion or other such gathering at a home, or other public or private venue.

The By-law defines Public Waste as:

Public Waste means Solid Waste generated in or on premises where the public is or would normally be responsible for Disposing of waste including, without limitation, enclosed or exterior shopping centres, malls, food courts, quick-service or counter-service restaurants, sports arenas, office or other commercial premises, retail premises, private or public parks or campgrounds, and inside or outside public event venues;

It is challenging for businesses or special event managers to control the actions of the public or invited guests who use their facilities or attend their events. Public education and cooperation between the public, guests, the manager, staff, the waste hauler and the Authority key to successfully managing Public Waste. Similar guidelines apply also to operators of private events such as private parties, family events and the like.

Event organizers may contact the Authority for information and borrow sorting stations. It is the responsibility of event operators to Dispose of materials collected in borrowed sorting stations. The event organizer is also responsible for picking up, cleaning and returning borrowed sorting stations.

Guidelines for Managing Public Waste

in any staff-controlled area all waste shall be source-separated
where waste is not under staff control, the business or event manager shall exercise due diligence to provide the public with conveniently located Source-Separation containers
Labels and signage shall be posted indicating what materials should be placed in each container to help the public know where to correctly place their waste
public washroom waste is considered Residual Waste and there is no requirement to sort it
all waste delivered to Management Centres is subject to inspection and compliance measures
The Authority staff are available to provide advice on setting up a Public Waste sorting system
on request, the Authority lends sorting stations to event organizers

6.0 Management Centres

The Authority operates two Waste Management Centres, one at 100 Donald E. Hiltz Connector Road, in Kentville and one at 343 Elliot Road, south of Exit 19 off Highway 101 near the Village of Lawrencetown. The Management Centres are approved by the Minister of the Environment to accept Source-Separated Solid Waste from the general public and the IC&I sector. The various streams of Solid Waste are transferred off site to approved processing or disposal locations.

6.1 Hours of Public Operation

The Eastern Management Centre in Kentville is open to the public from 8:00 am to 4:00 pm from Monday to Friday inclusive and from 8:00 am to 12:00 noon on Saturdays. The Western

Management Centre in Lawrencetown is open 8:00 am to 4:00 pm on Tuesday, Wednesday, and Friday and from 8:00 am to 12:00 pm on Saturdays.

6.2 Materials Not Acceptable as Residual Waste

See *Section 1.0 Banned Materials* for information on what can be delivered to the Waste-Resource Management Centres.

6.3 Waste Disposal Fee Structure

The following provisions apply to the waste disposal fee structure:

The Authority shall stipulate the fees and charges for disposing materials at its waste management facilities. These fees shall be set from time to time by the Authority and displayed in a Fee Schedule (see attached sample in Schedule 1 (a));

The applicable disposal fee shall be paid by the hauler who delivers the waste to the Waste-Resource Management Centre;

Haulers or waste generators wishing to Dispose of materials requiring special handling or disposal techniques shall give the Authority 48 hours' notice requesting permission to deposit such special wastes, stating the properties, characteristics, origins and amounts of the waste. Authority staff shall advise the hauler whether the waste is acceptable and, if so, under what conditions; and

No waste disposal fees shall apply to waste collected from Eligible Premises by the collection contractor(s) engaged by the Authority to undertake the Authority Collection program.

6.4 Haulage Vehicle Registration

Commercial haulers using the Authority's Waste-Resource Management Centres may be required to comply with the registration requirements of the Authority including vehicle registration for such haulers.

The following provisions may apply to vehicle registration for haulers using the Authority's Waste-Resource Management Centres:

- a. Haulers using the Authority's waste management facilities shall pre-register identifying information and the tare weight of each vehicle as required by the Authority from time to time, and separately identify those vehicles to be used in contracted Authority Collection services operated on behalf of the Authority (if the hauler is also a commercial collection contractor);
- b. Haulers who wish to be granted credit privileges with the Authority must register adequate information with the Authority. Each hauler will be assigned an account number and each vehicle may be assigned a unique identification number that shall be displayed on the left front of the vehicle in a location, size and format specified by the Manager; and
- c. The driver of each registered vehicle must present the assigned account number to the scale operator upon entering the facility. The hauler in whose name the account is registered will be invoiced for materials delivered under that account.

6.5 Waste packaging and placement requirements

Waste materials may be brought to the Waste-Resource Management Centre either bagged, bundled or loose. For bagged materials, Recyclables must be in blue or clear bags,

compostables in Green Carts or compostable bags for Organics, and Residual Waste in clear bags. In case of Recyclables or Residual Waste brought in cardboard boxes, the boxes must be emptied by the user.

All Solid Waste shall be placed in appropriate designated locations for each type of Source-Separated Solid waste. Failing to do so is an offence contrary to section 6.8 of the By-law.

6.6 Fee Payment

Haulers who transport acceptable material to a facility operated by the Authority, either with his/her own vehicles, or through his/her contractors or agents shall pay tipping fee charges in cash, by credit card, or by current electronic payment technology available at the site or, if they have been granted credit privileges, upon invoice in accordance with sections a, b, and c below:

- a. When both inbound and outbound scales are operating, the vehicle will be weighed upon entering the facility and shall be weighed again upon leaving. The hauler will pay the fee in accordance with the current fee structure prior to leaving the facility, or upon receipt of an invoice if the hauler has been granted credit privileges;
- b. When only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, payment in accordance with the fee structure is required upon being weighed prior to leaving the facility, or upon receipt of an invoice if the hauler has been granted credit privileges; and
- c. When only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will then pay the tipping fee in accordance with the fee structure set from time to time by the Authority prior to leaving the facility, or upon receipt of an invoice if the hauler has been granted credit privileges.

Haulers who have been granted credit privileges are subject to the current Overdue Account Collection Policy.

6.7 Volume Based Tipping Fees

The General Manager shall set per cubic-meter rates payable by the haulers to be used when the weigh scales at the Waste-Resource Management Centres become inoperative. These shall be applied based on the capacity of the vehicle and the volume of the material in the vehicle as estimated by the scale operator, and shall be based on material weights displayed in Schedule 1(b) Volume-based Tipping Fee Calculation.

6.8 Inspection and Compliance Guidelines

Waste at the Waste-Resource Management Centres may be inspected to ensure compliance with the source-separation and waste packaging requirements established by provincial regulation, the By-law, and operational rules of the Waste-Resource Management Centres.

Based on a visual inspection, random selection or other factors, Waste-Resource Management Centre staff may choose a load for thorough screening. Waste screening normally means removing bagged waste or individual items from a load for careful examination to assess compliance and to identify the waste generator(s).

As provided in section 7.4 of the By-law, inspection staff have the authority to request the names of all customers whose waste is contained in commercial loads being inspected.

Non-compliant materials located in a load are communicated to the hauler, customer or generator of the waste.

Non-compliant materials located in a load may also result in any penalty detailed in the By-law, including without limitation, a Warning, a By-law Ticket, a double tipping fee, or rejection of the load and sending it back to the generator for corrective action before it can be accepted at the Waste-Resource Management Centre.

7.0 By-law Enforcement

7.1 Compliance Philosophy

Authority staff use a balance of education and enforcement strategies to improve compliance with municipal By-laws and provincial regulations. Providing information and assistance to citizens and businesses is the first step in achieving compliance, followed if necessary by progressive enforcement action such as written notice, Warnings, fines and charges laid by investigators to be dealt with according to law in Provincial or Supreme Court.

7.2 Enforcement Tools and Procedures

The graduated enforcement response has been developed to address cases of failure to comply with the requirements of the By-law and Directives.

The tools used by enforcement staff range from verbal communication, written notice with specific deadlines, Warnings, suspension of curbside waste collection, Notices of Violation providing for an administrative out-of-court settlement (By-law Tickets), Summary Offence Tickets (SOTs) and Long Form Information charges in Provincial Court.

The enforcement tools are chosen based on the type and severity of offence and are at the discretion of the enforcement staff and in accordance with the Offence Enforcement and Penalties provisions of this By-law.

7.3 Investigation

All complaints and information concerning alleged violations of the By-law received are prioritized and investigated as quickly as resources allow. As needed, during the investigation, enforcement staff will work closely with other Authority staff, municipal staff, Nova Scotia Environment Inspectors, and with the local police agencies.

The By-law Enforcement Officer shall be qualified as a Special Constable under the Nova Scotia Police Act, be a member of the Atlantic Bylaw Officers Association (ABOA) and shall participate in enforcement and compliance training opportunities.

Schedule 1(a) – Fee Schedule

Current April 1, 2020



Waste Category	Price Per Tonne	
	Authority Members	Non-members
Recyclables	\$97	\$129
Organics		
Food Waste	\$97	\$129
Brush, Grass Clippings, Pine Needles	\$97	\$129
Leaves	No Charge	
Garbage	\$121	\$161
Construction & Demolition Debris – Sorted	\$57	\$76
Brick, block, concrete, Asphalt	Asphalt shingles Drywall	
Construction & Demolition Debris – Mixed	\$121	\$161
Scrap Metals and White Goods One free appliance per day	\$57	\$76
Minimum Fee	\$5	\$10
Penalty Fee	\$242	\$322
Other Services		
CFC Removal from Refrigeration Units	\$20/unit	\$20/unit
Household Hazardous Waste	No Fee	No Fee
Contaminated Soil: Contact the Authority for disposal locations.	Dependent on disposal location	Dependent on disposal location
Other Special Wastes: Generator must give the Authority 48 hours' notice to make special arrangements.	To be arranged	To be arranged
Weighscale usage (loaded weight and tare weight)	\$10.00 per load	
Used wood pallets (for sale)	\$2.00 each	

Hours of Operation:

Kentville: Mon – Fri 8am-4pm. Saturday 8am-12noon

Lawrencetown: Tues, Wed, Fri 8am – 4pm. Saturday 8 am-12 noon

Note 1: The minimum fee applies to the following: 41kg and less for garbage, 50 kg and less for Organics, 50 kg and less for Recyclables or 90 kg and less for sorted construction & demolition debris and scrap metal.

Note 2: The term **Authority Members** applies to anyone bringing a load generated in the Municipality of the County of Kings, the Towns of Annapolis Royal, Berwick, Kentville, Middleton and Wolfville, and the First Nations communities of Annapolis Valley, Bear River, and Glooscap. Loads originating outside these areas are considered **non-members**.

Schedule 1(b)
Volume Based Tipping Fee Calculation

It may be necessary at times to operate one or both of the Waste-Resource Management Centres with inoperable scales – for example, during an emergency such as a major power failure. In such a circumstance it would be impossible to charge tipping fees based on incoming weights. Volume-based fees are one option.

The following table details conversion factors that the scale operator can use to calculate fees based on the type and volume of the material on the delivery truck.

Volume Based Weights

MSW	lb./cu yd.	kg/cu yd.	kg/cu m
Non-compacted	225	102	134
Compacted	750	341	446
C&D			
Loose Mixed	560	255	333
Wood	169	77	100
Roofing	731	332	434
Concrete	860	391	511
Organics			
Food Waste	1,070	486	635
Leaves	225	102	134
Brush	300	136	178
Grass	400	182	238
Recyclables			
Paper Mixed Loose	875	398	520
Containers Mixed Loose	35	16	21

Information from various sources including

National Recycling Coalition Measurement Standards and Reporting Guidelines; EPA; FEECO; CIWMB 2006

Conversions: 1 kg = 2.2 lb.; 1 cu yd. = .765 cu meter



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Re: Fire Inspection Services

At the November 9, 2020 meeting of Council Advisory Committee, CAO Smith reviewed the existing service agreement for fire inspection services and the need for an updated agreement document between partners.

That Council Advisory Committee recommend for approval

The Kentville Fire Inspection Agreement to Council for approval and authorization for signature by the CAO and authorization by the Mayor and Town Clerk.



TO: Mayor Snow and Council

SUBMITTED BY: Brian T. Smith, CAO

DATE: November 5, 2020

SUBJECT: Fire Inspection Service Agreement with the Municipality of the County of Kings

ORIGIN

Over the course of several months prior to August of this year, the Town and Municipality were developing an inter-municipal service agreement to cover the costs of fire inspection services. This agreement is now ready for approval by Council.

BACKGROUND

For many years now, the Town has utilized the Building and Fire Inspection Services of the Municipality of the County of Kings. This arrangement, often structured by an exchange of letters, has worked very well for both organizations, and we have the advantage of well-trained inspectors and thorough inspection procedures without the resources required for in-house inspection services.

DISCUSSION

The addition of fire inspection services to the building inspection services provided by the Municipality to the Town has evolved significantly in terms of fire inspection requirements in recent years. What had been accomplished generally by trained volunteers in local fire departments has become much more structured and regulated by the Province, and it is now a significant component of most municipal fire/building inspection services. The regulations require regular and detailed inspections, follow up and response on the part of trained officials.

The enclosed agreement is intended to formalize our relationship with Kings County, one that has been working well and is anticipated to continue as a cost-effective option for the Town.

POLICY IMPLICATIONS

This is primarily an administrative matter, in terms of obtaining necessary services through a contract arrangement instead of retaining our own staff.

BUDGET IMPLICATION

The cost of fire inspection services has been an element of our Operating Budget for some time now, and this agreement would not significantly impact that level of expenditure. There are of course provisions for additional expenditures that are required, inflationary changes, etc.

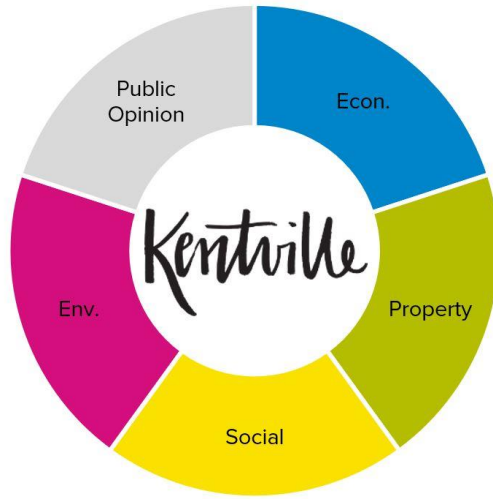
ATTACHMENTS

Proposed Agreement with the Municipality of the County of Kings for the Provision of Fire Inspection Services

RECOMMENDATION

That this Agreement be referred to Council for approval and authorization for signature by the CAO and authorization by the Mayor and Town Clerk.

Town of Kentville Decision Wheel:



THIS AGREEMENT made this ____ day of _____, 2020

BETWEEN

Parties:

MUNICIPALITY OF THE COUNTY OF KINGS, a body corporate, pursuant to the *Municipal Government Act*, S.N.S., 1998 c. 18, as amended, having its chief place of business at 181 Coldbrook Village Park Drive, Coldbrook, Kings County, Nova Scotia, hereafter called the "Municipality".

And

TOWN OF KENTVILLE, a body corporate, pursuant to section 8 of the *Municipal Government Act*, S.N.S., 1998 c. 18, as amended, having its chief place of business at 354 Main Street, Kentville, Nova Scotia, hereafter called the "Town".

WHEREAS Section 60 of the *Municipal Government Act* provides for the delivery of municipal services on such terms and conditions as agreed by the parties hereto, and for the delegation of the service delivery to a party to the Agreement;

AND WHEREAS the *Municipal Government Act* provides for the responsibility of the parties hereto to maintain accountability in their respective municipality's operations;

AND WHEREAS the parties hereto have identified assets and resources that can be shared between the parties hereto to maximize the efficient and effective delivery of municipal services going forward;

AND WHEREAS the parties hereto are desirous of sharing services in relation to Fire Inspection Services in accordance with the terms and conditions as set out herein;

AND WHEREAS a plan for sharing Fire Inspection Services for the territorial jurisdictions encompassed by the parties hereto addressing the mechanics of service delivery, costs, liabilities, reporting and oversight has been developed by the administration for and agreed upon by the parties hereto;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT, for and in consideration of the joint and several mutual covenants herein contained, and other valuable consideration, the receipt and sufficiency of which is acknowledged by the parties hereto, it is mutually covenanted and agreed as follows:

DEFINITIONS

1. In this Agreement:

- (a) **"Municipal Fire Inspector"** means a person appointed by a municipality as a municipal fire inspector pursuant to the *Fire Safety Act*.
- (b) **"Employee(s)"** means the person(s) employed by the Municipality and, appointed by the Town to provide Fire Inspection Services under this Agreement.

SALE OF SERVICE MODEL

2. The parties hereto agree that the Municipality shall sell Fire Inspection Services to the Town and such Services shall be performed by the Employees on such terms and conditions set out hereafter, and shall be governed by the terms of this Agreement.
3. The Municipality shall be responsible for providing to the Town, the following Services related to fire inspections, collectively referred to herein as "Fire Inspection Services":
 - (a) As per the *Fire Safety Act*, the Municipality will establish, implement and maintain a system of inspection and record keeping. Further, the Town by signing this Agreement, accepts and approves that system of inspection as designed by the Municipality. The Town acknowledges that they must fulfill their own obligations to adopt this system under the *Fire Safety Act*.
 - (b) Take the appropriate enforcement action for non-compliance with the *Fire Safety Act*, Regulations and the National Fire Code, including issuing Cease Occupancy Orders and attend Court when necessary. All legal and related costs associated with enforcement shall be the responsibility of the Town, except costs of attendance of the Employees in Court. These legal cost fall outside the cost of Fire Inspection Services detailed in this Agreement.
 - (c) Process all fire inspection files and respond to public enquiries pertaining to Fire Inspection Services within the Town, including requests pursuant to Part XX of the *Municipal Government Act* for information in the possession of the Municipality;
 - (d) Provide the Town administration office with regular statistical reports pertaining to fire inspections conducted within their jurisdiction and, upon request by the Town administration office, any information in the records of the Municipality pertaining to any Fire Inspection in the Town.
 - (e) Neither party shall be liable for any failure or delay in performance under this Agreement (other than for delay in the payment of money due and payable hereunder) due to causes beyond that party's reasonable control and occurring without its fault or negligence i.e. State of Emergency.
4. The parties hereto agree that the provision of services shall, effective the date of execution of this Agreement, commence operations in accordance with the sale of service structure as herein described with a pro-rated adjustment within the first billing quarter.

TERM

5. The term of this Agreement shall be for a period of sixty (60) months, commencing on the date of execution of this Agreement and ending sixty (60) months thereafter or on such earlier date as agreed upon among the parties hereto (hereafter, the "Basic Term").

SERVICE PROVISION

6. The Municipality shall commit its Fire Inspection Services to the Town within the territorial jurisdiction thereof in accordance with the *Fire Safety Act*, Fire Safety Regulations and the National Fire Code.

APPOINTMENT

7. The Chief Administrative Officer of the Town shall ensure that the Town appoints the Employees as fire inspectors within the Town's jurisdiction.

FINANCE

8.
 - a) The Employees providing services pursuant to this Agreement shall continue to be employed by the Municipality pursuant to the terms of the applicable contract of employment and it is expressly agreed between the parties hereto that nothing in this Agreement shall be construed to alter the terms of such employment.
 - b) The Municipality will charge \$43,000.00 annually for the provision of Fire Inspection Services indexed by the December year over year Nova Scotia Consumer Price Index rate for all products as determined by statistics Canada, in each year of this Agreement. The Municipality shall give the Town as much notice as possible but shall give notice no later than 90 days prior to March 31 of increase costs in providing Fire Inspection Services. The Municipality shall invoice at the start of each quarter, on a quarterly basis throughout the year.
9. Notwithstanding section 5 herein, provided either party is not in default of this Agreement, this Agreement shall automatically renew for consecutive periods of one year and that all parties agree that the Municipality shall review the 3-year rolling average of the cost of delivering Fire Inspection Services to determine if slight adjustments are warranted to the amount in Section 8 of this Agreement.
10. The Municipality has the sole discretion to give notice pursuant to section 8 to adjust annual billing costs due to a change in service delivery, i.e. change in number of parties obtaining this service or provincial downloading that affects this service, with a 90 day notice.

INSURANCE AND INDEMNIFICATION

11.
 - a) The Town and the Municipality shall ensure that their respective general liability insurance policies provide for insurance coverage in respect of all services to be provided to each other. The Town shall add the Municipality as an additional insured in the amount of \$5,000,000 on its general liability insurance policy, and the Municipality shall add the Town as an additional insured in the amount of \$5,000,000 on its general liability insurance policy.
 - b) The Town agrees to indemnify the Municipality from damages arising out of negligence of the Town.
 - c) The Town shall hold harmless the Municipality, its elected officials, officers, employees, agents, and volunteers, from and against any and all liabilities, claims, expenses, demands, losses, cost, damages, actions, suits or other proceedings by whomsoever made, directly or indirectly arising from the provision of the services to the Town as outlined in this contract attributable to economic loss, bodily injury, sickness, disease or death or to damage to or destruction of tangible property, including loss of revenue or incurred expense resulting from disruption of service and caused by any acts or omissions of the Municipality, its officers, elected officials, agents, servants, employees, customers, invitees or licensees, or occurring in

within the Town Boundaries, or any part thereof and, as a result of activities under this agreement, so long as the actions upon which the demand or claim, or assertion of liability, are founded were performed in the course of carrying out official duties on behalf of the Town, and not performed in bad faith, or did not constitute actual fraud, actual malice, willful misconduct, an intentional wrong or a criminal act.

d) Such indemnification shall include payment of reasonable legal fees, expenses and costs in the defense of any claim made by a third person.

e) The Town shall provide proof of errors and omissions insurance for their own liability with regards to the acceptance and assistance with the completion of applications for building permits.

TERMINATION

12. a) Subject to Section 8 herein, any party hereto may terminate service delivery pursuant to this Agreement effective as of March 31 in any year of the Agreement upon providing notice of termination as per Section 14 of this Agreement not less than 90 days prior to be the end of the fiscal year of the year specified in the notice of termination.

b) In the event of termination pursuant to this Agreement, the Finance provisions herein shall apply on a *pro rata* basis in that Fiscal Year to the date of termination.

13. In the event of contract termination, it is understood that all records maintained pursuant to clause 19(2)(c) of the *Fire Safety Act* are owned by the Municipality and it shall continue to maintain them as required by the *Act*, and copies of those records will be provided to the Town as part of the termination process.

NOTICE

14. Any notice under this Agreement, unless otherwise provided, may be given if delivered or mailed, postage prepaid, or by facsimile transmission or electronic transmission to:

Chief Administrative Officer
Municipality of the County of Kings
181 Coldbrook Village Park Drive
Coldbrook, NS
B4R 1B9

Chief Administrative Officer
Town of Kentville
354 Main Street
Kentville, NS
B4N 1K6

APPLICABLE LAW

15. The law governing this Agreement and any action, matter or proceeding based upon or relating to this Agreement shall be the law of the Province of Nova Scotia and shall have exclusive jurisdiction over any action or proceeding based upon or relating to this Agreement.

SEVERABILITY

16. The parties hereto covenant and agree that the invalidity or unenforceability of any provision of this Agreement will not affect the validity or enforceability of any other provision, and any invalid provision will be severable, or will be deemed to be severable.

WAIVER AND AMENDMENTS

17. No action by any party to this Agreement shall be construed as a waiver saving express written provision of such waiver, and this Agreement shall not be amended saving express written provision of such amendment by all parties hereto.

RELATIONSHIP OF PARTIES

18. The parties hereto intend that the parties hereto shall not be treated as partners or members of a joint venture for any purpose.

FURTHER ASSURANCES

19. The parties hereto agree to execute and deliver any further documents or assurances or to furnish any further information or perform any other act reasonably necessary to give full effect to the terms contained in the Agreement.

ARBITRATION

20. If any disagreement arises among the parties as to the proper interpretation of this agreement that cannot be resolved by mediation, the parties shall submit the area of disagreement to an arbitrator as provided by the *Arbitration Act*.

EFFECTIVE DATE

21. This Agreement is effective upon the date of execution of same by the parties hereto.

THIS AGREEMENT shall ensure to the benefit of and be binding upon the parties hereto, their heirs, executors, administrators, estates and assigns.

IN WITNESS WHEREOF the parties have executed this Agreement by their respective officials, duly authorized on that behalf, on the day and year first above written.

**SIGNED, SEALED AND ATTESTED to be the
Proper signing officer of the Municipality of
The County of Kings duly authorized in that
Behalf in the presence of**

MUNICIPALITY OF THE COUNTY OF KINGS

Witness

Peter Muttart, Mayor

Witness

Scott Conrod, Chief Administrative Officer

**SIGNED, SEALED AND ATTESTED to be the
proper signing officer of the Town of
Kentville duly authorized in that Behalf in
the presence of**

TOWN OF KENTVILLE

Witness

Sandra Snow, Mayor

Witness

Brian T. Smith, Acting Chief Administrative Officer

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Craig Gerrard

Date: November 26, 2020

Date of Last Council Meeting Attended: October 26, 2020

Date of Last Council Advisory Meeting Attended: November 9, 2020

Date of Last Governance Session Attended:

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
November 4	Council Orientation	
November 12	Council Orientation	
November 12	CAO Selection Committee	
November 19	Council Orientation	
November 19	CAO Selection Committee	
November 25	Council Orientation	
November 25	CAO Selection Committee	

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
November 20	NKEC Citizenship Education Interview	Thanks to Mrs. Cunningham and her grade nine class for inviting me to a google meet interview and answer questions about municipal politics



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Conference Attendance and Synopsis

Date	Conference	Synopsis

COMMITTEE MEETING SYNOPSIS – COMPLETED BY COMMITTEE REPRESENTATIVE ONLY

Detail	Synopsis		
Committee Name	NSAPG	Meeting Date:	November 18, 2020
Meeting Highlights:	Discussion with DOJ reps – Good discussion about moving forward with training, and more communication between the 2 groups		
Budget:	0		
New Projects:	Collaborative training detailing governance do's and don't's		
Policy Changes:			

Misc Events

Date	Synopsis

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Paula Huntley

Date: November 26, 2020

Date of Last Council Meeting Attended: October 26, 2020

Date of Last Council Advisory Meeting Attended: November 9, 2020

Date of Last Governance Session Attended:

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
November 4	Council Orientation	
November 12	Council Orientation	
November 12	CAO Selection Committee	
November 19	Council Orientation	
November 25	Council Orientation	
November 16,17,24th	New Municipal Council Training	

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
November 20	Holly Days Event-TOK	

Conference Attendance and Synopsis

Date	Conference	Synopsis



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

COMMITTEE MEETING SYNOPSIS – COMPLETED BY COMMITTEE REPRESENTATIVE ONLY

Detail	Synopsis		
Committee Name	Kings point to point transit	Meeting Date:	Nov 24,2020
Meeting Highlights:			
Budget:			
New Projects:			
Policy Changes:			

Misc Events

Date	Synopsis
Nov 15th	Virtual conversation with Dr. Strang & Deputy Minister Miller-NS REN
Nov 9 th	Reimagine NS-Cultivate & Consume Dalhousie University Faculty of Management
Nov 23	Michelle Larsen- Manager of Acadia Coop Program
Nov 24	Sarah MacDonald –Feed NS/Emergency food home delivery

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Cathy Maxwell

Date: Nov 24/20

Date of Last Council Meeting Attended: Oct 28/20

Date of Last Council Advisory Meeting Attended: Nov 9/20

Date of Last Governance Session Attended:

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
Nov 4	Council Orientation Session	
Nov 12	Annapolis Valley Trails Coalition Meeting	See Attached Report
Nov 16	Met with Director Beddingfield and Councilor Huntley	Meeting was to bring us up to speed on the work the Accessibility Committee has done, since we have become new members.
Nov 19	Council Orientation Session	
Nov 25	Council Orientation Session	

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
Nov 17	Walk and Roll at Miners Marsh	A walk around the Marsh with members of the Houdini Group doing the work on the Accessibility Plan for the Town. Members from the public also attended and as we walked lots of ideas were thrown out.

COMMITTEE MEETING SYNOPSIS – COMPLETED BY COMMITTEE REPRESENTATIVE ONLY

Detail	Synopsis



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Committee Name	Annapolis Valley Trails Coalition	Meeting Date:	Nov 12
Meeting Highlights:	<p>The Coalition has met with the County to look at a multiyear funding agreement and the County is pleased with the idea. The agreement will not be less than their contribution already is. Geocaching planning is ongoing and will also feature art as well. The program should be ready to go in April. People who finish the program get a coin that has the AVTC logo on one side and a train on the other. The NS Trails Conference at the Louis Millett Center is scheduled for Sept 16-19. The website is planning an official launch. So far along the trail there will be a train engine in Middleton and a box car in Wolfville. There is another box car available if we are interested.</p>		

Misc Events

Date	Synopsis

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Cate Savage

Date: November 25, 2020

Date of Last Council Meeting Attended: October 28, 2020

Date of Last Council Advisory Meeting Attended: November 9, 2020

Date of Last Governance Session Attended:

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
November 4	Council Orientation	
November 12	Council Orientation	
November 19	Council Orientation	
November 25	Council Orientation	
Nov 26	IAC	Recap of portfolio - north of \$13 million – discussed revisions of the IPS
Nov 19	Regional Sewer	I was attending a council orientation session. Director Bell attended on behalf of the town (as per usual) - Our monthly flow reports indicate that we are within our permissible limits – BOD/TSS/IGPD

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
November 20	Holly Days Event-TOK	

Conference Attendance and Synopsis



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Date	Conference	Synopsis
October 2020	Atlantic Asset Management Conference	Great information on how important completing our AMP is. This plan can and should marry up with our AT plan where certain sections of the town are in need of upgrades. I took lots of notes as is typically the case with me and should anyone wish to discuss I'm happy to do so. Mayor Snow, Director Bell and Kirsten have attended a series of workshops put on my AIM so we are well positioned to complete our plan both above ground and below ground in fairly short order.

COMMITTEE MEETING SYNOPSIS – COMPLETED BY COMMITTEE REPRESENTATIVE ONLY

Detail	Synopsis		
Committee Name		Meeting Date:	
Meeting Highlights:			
Budget:			
New Projects:			
Policy Changes:			

Misc Events

Date	Synopsis

COUNCILOR REPORT
KENTVILLE TOWN COUNCIL

Councilor Report

Kentville Town Council

Name: Gillian Yorke

Date: November 25, 2020

Date of Last Council Meeting Attended: October 26, 2020

Date of Last Council Advisory Meeting Attended: November 9, 2020

Date of Last Governance Session Attended: n/a

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
November 4	Council Orientation	
November 12	Council Orientation	
November 17	KCA PTA	
November 19	Council Orientation	
November 19	Annapolis Valley Regional Library	
November 25	Council Orientation	

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
November 21	Holly Days	

Councilor Report

Kentville Town Council

Conference Attendance and Synopsis

Date	Conference	Synopsis
November 17	New Municipal Councillor Training	Intro the role of councillor and municipal government
November 18	New Municipal Councillor Training	Intro the role of councillor and municipal government
November 24	New Municipal Councillor Training	Intro the role of councillor and municipal government

Committee Meeting Synopsis – Completed by Committee Representative only

Detail	Synopsis		
Committee Name	KCA PTA	Meeting Date:	November 17, 2020
Meeting Highlights:	Fundraisers proceeding, with an additional honey fundraiser. Record breaking wreath sales. COVID protocols being followed closely and ensuring everyone is following them.		
Budget:			
New Projects:	COVID friendly fundraisers		
Policy Changes:	n/a		

Detail	Synopsis		
Committee Name	AVR Library	Meeting Date:	November 19, 2020
Meeting Highlights:	Grants awarded and to be used in diversity and inclusion programs, specifically with First Nations groups.		
Budget:			

Councilor Report

Kentville Town Council

New Projects:	Training and support Library Giving Day (campaign toolkits available) based on the Seattle Public Library giving campaign.
Policy Changes:	n/a

Detail	Synopsis		
Committee Name	Kings Transit	Meeting Date:	November 20, 2020
Meeting Highlights:	Meeting canceled		
Budget:			
New Projects:			
Policy Changes:	n/a		

Misc Events

Date	Synopsis
n/a	

Councilor Report

Kentville Town Council

Name: Andrew Zebian

Date: November 26th, 2020

Date of Last Council Meeting Attended: October 28th 2020

Date of Last Council Advisory Meeting Attended: November 9th 2020

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
Nov 4 th	Council Orientation	
Nov 12 th	Council Orientation	
	CAO SELECTION COMMITTEE	
November 16th	Council Training – Dept of Municipal Affairs	
November 17 th	Council Orientaiton	
Nov 19 th	Council Orientation	
Nov 19th	CAO Selection committee	
November 24 th	Council Training- Municipal Affairs	
November 25 th	Council Orientaiton	
November 25th	CAO SELECTION COMMITTEE	

Councilor Report

Kentville Town Council

November 26 th	Attended investment advisory committee	Discussed the policy in place and making amendments to it. Also discussed how the fund is performing.
---------------------------	---	---

Town of Kentville Event Attendance and Synopsis

Date	Event/Conference	Synopsis
November 20th	Holly Days Event in Town	This event was remarkable. I attended the tree lighting and distributed gifts to children. I was very proud of the hard work that everyone put forth towards this great evening. Especially, during a pandemic!

Misc Events

Date	Synopsis

Expenses

This month	Year to Date

Councilor Report

Kentville Town Council

Name: Sandra Snow

Date: 25 November 2020

Date of Last Council Meeting Attended: 28 October 2020

Date of Last Council Advisory Meeting Attended: 9 November 2020

Date of Last Governance Session Attended: N/A

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
28 Oct 20	Council Meeting	swearing in of the new council
29 Oct 20	VREN Regional Economic Recovery Taskforce	News from Develop NS
29 Oct 20	VREN Board Meeting	Update on activity
30 Oct 20	MFC Board Meeting	Increase borrowing limits
4 Nov 20	Council Orientation	Finance
9 Nov 20	CAC	Insurance Special events Bylaw Valley Waste Bylaw Fire Inspection
12 Nov 20	Council Orientation	Public Works
12 Nov 20	VREN Regional Economic Recovery Taskforce	Update on new programs
12 Nov 20	CAO Selection Committee	Review of process
13 Nov 20	REN – Business Presentation	Virtual Zoom meeting with Dr Strang and Deputy Minister Bernie Miller
13 Nov 20	VREN – LOC	Meeting with CEO and new Board Chair
19 Nov 20	Council Orientation	Planning and Economic Development

Councilor Report

Kentville Town Council

19 Nov 20	CAO Selection Committee	Review of applicants
23 Nov 20	Kings Mayors and CAO	IMSA discussion
25 Nov 20	Council Orientation	Recreation
25 Nov 20	CAO Selection Committee	Review of applicants

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
30 Oct 20	KCA Pumpkin Drop	Best day, COVID pivot, the event was carried out in two streams. Fun was had by all
2 Nov 20	Remembrance Day Ceremony	Pre-event taping of event at the Cenotaph
9 Nov 20	Rotary Club of Kentville Remembrance Day Ceremony	Brought greetings on behalf of Town and 14 Wing
11 Nov 20	Remembrance Day Ceremony	COVID-19 protocol event
20 Nov 20	Holly Days Event	Virtual Tree Lighting and Christmas Market

Conference Attendance and Synopsis

Date	Conference	Synopsis
28-29 Oct 20	Atlantic Asset Management conference	Virtual Zoom conference
6 Nov 20	Asset Management Cohort	Mapped assets and looked at the cost of climate change - Kentville
17-18 Nov 20	Council Orientation - DMA	Virtual Zoom conference
24 Nov 20	Council Orientation - DMA	Virtual Zoom conference

Misc Events

Date	Synopsis
28 Oct 20	Lunch with Dr Magdalena Kujath

Councilor Report

Kentville Town Council

16 Nov 20	Investiture Ceremony at 14 Wing for Honorary Colonel Bill Ricketts
-----------	--

From: Carol Goodwin <goodwin.carol56@gmail.com>
Date: Monday, November 9, 2020 at 4:59 PM
To: CouncilandMayor <CouncilandMayor@kentville.ca>
Subject: Event request, Healy Events

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing in response to the request by Healy Events to increase the number of events they hold each year at their wedding venue on Prospect Avenue in Kentville. I have to admit that I am a little perplexed that this has come up again. Council was clear that conditions would be required to be met for this commercial business set in a residential area to be able to grow. Suggestions included a separate entrance from Don Hiltz Drive, provision of noise buffering berms and landscaping to provide separation from the residential area. I was sitting in Council Chambers at the time the previous application was discussed.

Our residence is not within the measured 500 meters from the Healy Event property, but that hasn't kept the music and celebration noise from being a disturbance.

I feel churlish complaining about it. If it were a neighbour holding a one time celebration on their property my heart would be filled with joy, but that isn't what is happening here. It is a business, with the responsibilities that community businesses have as part of a community.

I am, then, compelled to write to ask that the request for an increase in the number of events be turned down.

Carol Goodwin

27 Deer Haven Drive, Kentville, NS B4N 0B7
902 956-1822

From: Karen Peckford <kpeckford@berwick.ca>

Date: Monday, November 9, 2020 at 11:15 AM

To: Sandra Snow <ssnow@kentville.ca>, Craig Gerrard <cgerrard@kentville.ca>, Cathy Maxwell <cmaxwell@kentville.ca>, Cate Savage <csavage@kentville.ca>, Andrew Zebian <azebian@kentville.ca>, Paula Huntley <phuntley@kentville.ca>, Gillian Yorke <gyorke@kentville.ca>

Cc: Brian Smith <bsmith@kentville.ca>, "Mike Peckford (mpeckford@hemmera.com)" <mpeckford@hemmera.com>

Subject: Special Events By-Law

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Your Worship and Councillors,

I am writing in regards to the Special Events By-Law and the request to increase the number of events in any given year from 15 to 20.

My family relocated to Kentville from Alberta in October of 2019. My husband went to Acadia and always wanted to return to the valley, and after one visit to Nova Scotia, I agreed with him that this was a beautiful place to live and raise a family. Last year we were fortunate enough to find work, buy our dream home in Kentville and make the move East. We were surprised to learn that the property adjacent to ours was a wedding venue, given that it is zoned as a residential property. But it's a beautiful piece of property and we can understand why it is such an attractive venue to host weddings. As long as the events were not disruptive to our living situation, we did not see there being a problem.

When we received a request for feedback on increasing the number of events at the property, we found ourselves in a strange position given we moved in after last year's wedding season, and this year's was cancelled due to COVID. We really didn't know how the weddings would impact us. However, there were two weddings held in the late summer, and during one of them, we could hear the music inside our house while our windows were closed. This made it very difficult to get our young children to bed in these circumstances. Noise was always our greatest concern regarding the weddings, and now that we know we can't even escape the thumping music inside our own house, we find it very concerning. At 15 events per year, that basically takes us through every Saturday of the summer. It's hard to communicate the disappointment we feel over this, especially knowing now that each time there is a wedding, it could be loud enough that we won't be able to enjoy our beautiful backyard without feeling like we are at the party ourselves. A few weekends a summer isn't so bad. Every weekend of the summer will be tiresome. As such, we absolutely do not support increasing the number of events from 15 to 20.

I would also like to add that Jessica Healy did stop by to introduce herself to us and mentioned that if we had any concerns to please reach out to her. I did message her after the noisy wedding, to find out if it was an anomaly, a "rowdy" one. However, she never responded to me. I then reached out to Beverly Gentleman to let her know we could hear the music inside our house with the windows closed and that we were not in support of the event increase request.

Thank you for your taking the time to read our concerns.

Sincerely,
Karen and Mike Peckford
351 Prospect Avenue

Karen Peckford, CPA, CMA | Director of Finance
Town of Berwick and The Berwick Electric Commission
236 Commercial St.
PO Box 130
Berwick NS B0P 1E0
p (902) 538-8068 Ext. 4014 f (902) 538-3724

On 2020-11-20, 2:19 PM, "Chuck Mader" <mader@ns.sympatico.ca> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon Sandra, thank you for returning my call and leaving us a message in regards to application for 5 more events at the Healy property on Prospect Ave.

Although we are outside the 500 ft boundary for notice of event we do feel the effects of the events.

The increased traffic and noise is a detriment to the neighborhood and should be rejected by council.

As a previous increase was also rejected please pass to council members our opposition to this.

Thank you. Chuck and Christine Mader. 341 Prospect Ave Kentville

Sent from my iPhone

Jennifer West

From: Ellen Dempsey <a-gucci-girl@live.com>
Sent: Thursday, November 19, 2020 11:34 AM
To: Jennifer West
Subject: Grant from Town of Kentville

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Jennifer,

Firstly, I apologize for the delay in sending my email.

On behalf of the Kentville New Horizons Senior's Club, I would like to thank the Town of Kentville for once again providing a grant to our organization.

We have used a portion of the funds to pay our yearly insurance premium in the amount of \$625.00. Our premium was originally much higher with another company.

Thanks,
Ellen

Sent from my Galaxy Tab A (2016)

TO: Town of Kentville Mayor Snow and town Councillors

FROM: Linda and Wayne Durling, 34 Deer Haven Drive, Kentville, Nova Scotia

Thank you for this opportunity to input my thoughts on the proposed changes to the Special Events By-Law re Healy property.

Thank you to the Town of Kentville employees who supplied requested information.

I find it hard to understand how this Events By-Law for the Healy property was approved initially. Talking to town planning I said (and specified this was hearsay) that the original application for events, and subsequent by-law was not dealt with completely above board. Also. I have been told the mayor at that time wanted to approve the Healy application at that same meeting it was introduced and not follow proper procedure. Council did not allow that and yes, a notice I understand was put in the paper two weeks in a row BUT and this is critical, people within 500' of this property were not notified in writing of this action. They should have been notified of the Special Events By-Law specific to the Healy property and then alerted to the Healy request for 15 special events in a one year time period.

I understand this property is the only property to have this designation within the Town of Kentville limits and that it would be difficult for any other property to access the same arrangement. Strange that this one property did receive the designation and not in a properly zoned area.

Moving ahead to 2017 - 2nd reading of an application to amend the Special Events By-Law re Healy property.

Following are the points made from Council's discussion of the application:

- * concerns were noted that the property in question may not be zoned properly and requested a correction be made
- * Also noted was the concern of imposing a **commercial enterprise** (my emphasis) in a rural neighborhood (My comment – rural? We are within the town limits)
- * Council needs to uphold the best interest of home owners in this area as the subdivision was installed for residential use
- * An increase in the events would not be in the best interest of the home owners in that area

Note: At conclusion of discussion points Don Bolland moved an amendment be made to request 20 events versus proposed 30.

No seconder.

Vote called - Defeated

This By-Law is now back on council's desk. Why? What has changed from the reasons it was defeated in 2017 - the town still needs to consider this is a Commercial Enterprise operating in our residential area - the town still needs to uphold the best interests of home owners in our area – the town still needs to acknowledge an increase in events would not be in best interests of us as home owners.

We live in a very quiet, lovely, well-maintained residential area. The town derives many tax dollars from each of us as residents. There are remaining lots that will be sold, bringing in much more monies. We shop at Kentville businesses, pay to attend live theatre (again eventually), eat out at the restaurants

and cafes, all on a **daily** basis. Pay to take part (and volunteer) in recreation programs. We volunteer in many different areas of town life, to help make this a better community.

Again, hearsay, but I also understand that each of us property owners pay more in taxes individually than Healys do on their acreage/business. I have not had time to confirm this personally but received this info from a trusted source.

We do not want the Special Events designation the Healy property enjoys and certainly do not want additional events added to the By-Law.

I was a bit dismayed by Mayor Snow's comment at the end of the November 9th meeting on this issue, seemingly indicating support for this by-law by citing advantage of this commercial enterprise putting monies into town businesses. True or not, an inappropriate and prejudicial comment.

I do not want the Covid 19 Special Events By-Law approved either for all the above reasons. 20 events is 20 events in one year. If the events only impacted the Healy property and people on that property – maybe- but their activity adversely impacts a whole lot of people.

Thank you, Linda and Wayne Durling

TO: Council

SUBMITTED BY: Brian T. Smith, Interim Chief Administrative Officer

DATE: November 30, 2020

SUBJECT: 2021 Calendar of Meetings –
Council and Council Advisory Committee Meetings

ORIGIN

Kentville’s “Council Meetings” Policy indicates that annually in November, Council shall review and approve a calendar of meeting dates for the following calendar year.

DISCUSSION

The attached calendar shows the proposed dates for Council Advisory Committee meetings (2nd Monday of each month) and Council meetings (last Monday of each month), at 6pm. Some dates were moved when the Monday was a holiday.

POLICY IMPLICATIONS

None.

BUDGET IMPLICATION

None.

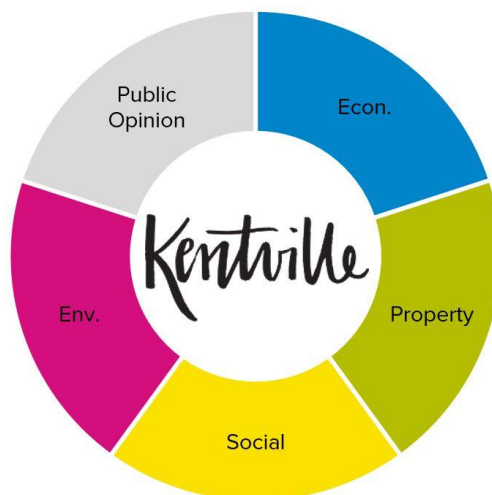
ATTACHMENTS

Proposed 2021 calendar of Council and CAC meetings

RECOMMENDATION

That Council adopt the proposed calendar of Council and Council Advisory Committee meeting dates and times.

Town of Kentville Decision Wheel:





Proposed Scheduled Council and CAC Meetings for 2021

Council Advisory Committee meetings take place on the 2nd Monday of each month at 6:00 p.m., and regular Council meetings take place on the last Monday of the month at 6:00 p.m. Conflicts may occur with holidays, conferences, etc. The following is a list of meetings, and where a conflict is seen, an alternate date is planned:

Meeting	Scheduled Date	Conflict	New Date
Council Advisory Committee	January 11		
Council	January 25		
Council Advisory Committee	February 8		
Council	February 22		
Council Advisory Committee	March 8		
Council	March 29		
Council Advisory Committee	April 12		
Council	April 26		
Council Advisory Committee	May 10		
Council	May 31		
Council Advisory Committee	June 14		
Council	June 28		
Council Advisory Committee	July 12		
Council	July 26		
Council Advisory Committee	August 9	Summer Break	
Council	August 30	Summer Break	
Council Advisory Committee	September 13		
Council	September 27		
Council Advisory Committee	October 11	Thanksgiving Day	October 12
Council	October 25		
Council Advisory Committee	November 8		
Council	November 29		
Council Advisory Committee	December 13		
Council	December 28	Christmas Break	