

Town of Kentville Council Advisory Committee Meeting June 8, 2026, 5:00 pm, Kentville Town Hall

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF THE AGENDA
3. APPROVAL OF MINUTES
 - (a) Council Advisory Committee meeting minutes, May 11, 2026
4. PRESENTATION
 - (a) Community Climate Risk Assessment - Alice Jebiwott, Climate Action Coordinator
5. DEPARTMENT REPORTS
 - (a) Kentville Police Service
 - (b) Engineering and Public Works
 - (c) Finance
 - (d) Planning and Development
 - (e) Parks and Recreation
6. NEW BUSINESS
 - (a) Policy 112 – Whistleblowers
 - (b) Closure of Kentville Library Branch
 - (c) Bylaw 207 - Street Encroachment By-law
7. PUBLIC COMMENTS
8. CLOSED SESSION
 - (a) Municipal Government Act - Section 22(2)(c) – Personnel Matters
9. ADJOURNMENT



TOWN OF KENTVILLE
COUNCIL ADVISORY COMMITTEE
Meeting Minutes: May 11, 2026
Town Hall, 354 Main Street, Kentville, Nova Scotia

This meeting was held at Town Hall and livestreamed to YouTube with closed captions.

PRESENT: Mayor Andrew Zebian
Deputy Mayor Debra Crowell
Councillor Rob Baker
Councillor Cathy Maxwell
Councillor Samantha Hamilton
Councillor Cate Savage
Councillor John Andrew

STAFF: Chris McNeill, Chief Administrative Officer
Jason Bethune, IT Manager
Dave Bell, Director of Engineering and Public Works
Darren Shupe, Director of Planning and Development
Wanda Matthews, Director of Finance
Craig Langille, Director of Parks and Recreation
Marty Smith, Chief of Kentville Police Service

1. CALL TO ORDER AND ROLL CALL

Mayor Andrew Zebian called the meeting to order at 5:00 p.m. He respectfully acknowledged that Kentville is on the traditional and unceded land of the Mi'kmaq People. The Town honours their deep connection to this land, past, present, and future; and also recognizes and honours the contributions and heritage of African Nova Scotians whose ancestors have shaped and enriched this community for generations.

DECLARATIONS OF CONFLICT OF INTEREST

Councillor Cate Savage declared a conflict of interest with item 7.a Municipal Government Act - Section 22(2)(a) – Sale of Municipal Property.

2. APPROVAL OF THE AGENDA

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor Rob Baker that the agenda of May 11, 2026, be approved as presented.

MOTION CARRIED

3. APPROVAL OF MINUTES – March 9, 2026

Mayor Andrew Zebian noted that on page six, the last question that was asked to the Chief was from him and not from Councillor Cathy Maxwell.

The minutes were approved as updated.

4. DEPARTEMENT REPORTS

a. Engineering and Public Works

Water Commission: Automatic Flusher Installation

- Public Works installed the Town's first automatic water main flusher on Alicia Boulevard.
- Area served includes Carman Drive, Duncan Avenue, Alicia Boulevard, and Glenlee Drive.
- Installation addresses long-standing concerns related to:
 - Poor water colour and clarity
 - Limited water movement within the system loop
- Previously required frequent manual hydrant flushing, which was labour-intensive and challenging during winter conditions.
- System features:
 - Programmable schedule (currently early morning operation)
 - Adjustable frequency and duration
 - Underground drainage connection
 - Bluetooth control capability
- Expected outcomes:
 - Improved water quality
 - Reduced operator callouts
 - More efficient water system management

Traffic Authority / Construction Season

- Spring construction programs underway, including line painting, patch paving, and full paving projects
- Work expected to continue through late fall.
- Public Works will provide updates via Town website and social media.
- Residents advised to expect traffic disruptions beginning after the long weekend.

Capital Projects

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- Mitchell Brook Culvert Replacement:
 - Pre-construction work progressing (shop drawings, coordination).
 - Construction anticipated July–August (environmental work window).
 - Temporary traffic lights will be in place 24/7 for approximately 4–6 weeks.

- Active Transportation (ICIP Final Phase)
 - Final sidewalk project (north side of Main Street between West Main and Webster) has closed for tender and is now awarded.
 - Project will complete the multi-year AT network improvements.

- Provincial Paving Program
 - Town approved for \$500,000 provincial funding, matched by the Town (\$1 million total project).
 - Focus area: West end of Park Street (Highway 1) and from Sheila Drive (Access NS area) toward Acadia Drive (~1.5 km).
 - Additional work planned (budget permitting): Aberdeen Street (Webster to Main) to complete downtown paving loop.
 - Tender closing scheduled May 20, with construction expected June–July.

- Patch Paving Program
 - Contract awarded.
 - Work to begin immediately following the long weekend on major routes, then progress to side streets throughout the summer.

Councillor John Andrew on pothole conditions and road longevity

- Asked whether worsening pothole conditions reflect a real issue or are seasonal perception.
- Response from Director Dave Bell:
 - Conditions are generally consistent year-over-year.
 - Many roads (e.g., East Main, Park Street) are 30+ years old, exceeding typical asphalt life.
 - Patch repairs are temporary and tend to reoccur in the same locations.
 - Some legacy roads have less pavement structure than modern standards.

Deputy Mayor Debra Crowell on automatic flusher operation

- Requested explanation of how the flusher works and operating schedule.
- Response from Director Dave Bell:
 - Device connects to the water main and automatically flushes water at scheduled times.
 - Current testing: 3 times per week, early morning (approx. 2:00–5:00 a.m.).
 - Flow rate and duration are adjustable.
 - Designed to prevent freezing and operate year-round.

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- May expand to other problem areas in future.

Councillor Cathy Maxwell on East Main retaining walls

- Inquired about the responsibility for aging brick retaining walls along East Main.
- Response from Director Dave Bell:
 - Brick retaining walls installed as part of Town capital project (~1993–94).
 - Maintenance responsibility lies with the Town.
 - Some repairs may be required due to age.
 - Adjacent stone wall likely belongs to cemetery property.

Councillor Cathy Maxwell on Visitor Information Centre accessibility ramp

- Inquired about the timeline for repairs.
- Response from Director Dave Bell:
 - Project is under separate departmental responsibility.
 - Expected to proceed this year, with Public Works support as needed.

Councillor Cathy Maxwell on tactile plates and accessibility standards

- Raised concern that tactile plates were not installed during a recent sidewalk repair at Campbell/Mountain View.
- Response from Director Dave Bell:
 - Work was classified as a repair (catch basin + single panel replacement), not full sidewalk replacement.
 - Tactile plates are typically installed during full capital sidewalk reconstructions, not isolated repairs.
 - Public Works does not currently stock tactile plates due to infrequent use.
- Discussion:
 - Councillor Cathy Maxwell emphasized importance of consistent accessibility standards across the Town.
 - Director Dave Bell acknowledged possibility of incorporating tactile plates into future repair practices and stocking materials.

Councillor Cate Savage on automatic flusher feedback

- Acknowledged positive reception from residents.
- Expected noticeable improvements in coming weeks.

Councillor Cate Savage on frequency of corner repairs

- How often corner sidewalk repairs occur.
- Response from Director Dave Bell:
 - Corner repairs are relatively infrequent.
 - Most repairs occur mid-block (not at crossings).
 - Limited need has contributed to lack of tactile plate inventory.

b. Finance

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- The Finance report for this meeting was brief, as:
 - Year-end financial results are still under review
 - Final statements will be presented to the Finance & Audit Committee at a future meeting

Interim Tax Billing

- Interim tax bills have been issued:
 - Total billed: approximately \$7.9 million
 - Outstanding balance: approximately \$7.1 million
- A significant portion of taxes appear collected early due to:
 - Pre-authorized/prepayment balances applied automatically upon billing
 - Approximately \$825,000 was already on account and applied to current bills

Water Commission Rate Review

- No decision has yet been received from the Nova Scotia Regulatory and Appeals Board.
- Minor adjustment made to the rate study:
 - Timing of debt repayment recognition was shifted forward to reflect when debentures are actually issued
- Director Wanda Matthews noted:
 - This adjustment has minimal impact on overall rates
 - No other significant changes were required
- Awaiting formal response/approval.

Mayor Andrew Zebian on interim tax billing - use of new rates

- Confirmed whether the interim tax bill reflects the newly approved tax rate.
- Response from Director Wanda Matthews:
 - Yes, the interim bill is based on:
 - The current year's assessed value, and
 - The tax rate approved by Council prior to billing
 - This reflects a policy change from last year.
- Clarification:
 - Interim bills show total amount only, not detailed rate breakdowns.
 - The final tax bill will include detailed breakdowns:
 - Tax rates
 - Levies
 - Fire and other charges
 - Reconciliation details

Councillor Cate Savage on confirmation of rate breakdown timing

- Confirmed that detailed tax rate information will appear on the final bill.

- Response from Director Wanda Matthews: Yes, all detailed breakdowns are included on the final tax notice.

Councillor Cate Savage on prepayment of taxes

- Asked about the ability for residents to prepay taxes and whether incentives exist.
- Response from Director Wanda Matthews:
 - Residents may prepay taxes throughout the year:
 - Common for mortgage-based payments
 - Some residents choose to pay in advance when funds are available
 - No financial incentive or reduction is provided for prepayment.
 - Payment by credit card is permitted but includes applicable processing fees.

c. Planning and Development

Staffing

- Recruitment is well underway for:
 - Business Development Coordinator
 - One-year term Planner
- Shortlisting completed; interviews to follow shortly.
- Goal is to have both positions filled by early June.

Planning Advisory Committee (PAC) / Plan Review

- Work has commenced on the draft growth framework for the Town.
- Review of flood risk mapping underway.
- These represent key initial milestones in aligning with Statements of Provincial Interest.
- Further discussion scheduled at upcoming PAC meeting.

Development Activity (April)

- 11 development permits issued.
- Total construction value: approximately \$2.9 million
 - Includes a significant project:
 - Valley Waste expansion (~\$2.8 million)

New Applications

- A Public Participation Meeting (PPM) was recently held regarding:
 - Rezoning application for 172 Main Street
- Application to be considered at upcoming PAC meeting.

Ongoing Applications

- Public Participation Meeting scheduled for May 21:
 - Topic: Program-based housing and emergency shelters amendments
- Anticipated to generate significant public engagement and discussion.

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Economic Development & Operations

- Visitor Information Centre (VIC):
 - Officially opened following ceremony last Friday.
- Event Coordination:
 - Increased activity as organizations prepare for the upcoming season.

Councillor Rob Baker on Valley Waste expansion

- Requested details on the nature of the Valley Waste expansion project.
- Response from Director Darren Shupe:
 - Details not immediately available.
 - Will follow up with additional information.

Councillor Rob Baker on change of use application

- Requested clarification on a referenced change of use (parcel to finished use).
- Response from Director Darren Shupe:
 - Director indicated he would review and follow up with additional details.

Councillor Cathy Maxwell on Program-Based Housing vs. Supportive Housing definitions

- Asked whether program-based housing aligns with the concept of supportive housing as discussed at a recent homelessness committee meeting.
- Raised concern that differing terminology could create confusion in policy and public understanding.
- Asked how supportive housing would be treated within the Town's planning framework.
- Discussion:
 - Councillor John Andrew noted:
 - Supportive housing can vary significantly
 - May include:
 - Minimal external support (e.g., periodic visits), or
 - More intensive support environments
 - Councillor Cathy Maxwell emphasized:
 - Potential overlap or confusion between terms
 - Importance of clear definitions prior to public consultation
 - Concern about unintended "loopholes" in application
- Response from Director Darren Shupe:
 - Agreed that program-based housing and supportive housing are distinct concepts.
 - Noted:
 - Supportive housing (without an embedded support facility) is generally permitted within existing zones.
 - Program-based housing typically involves structured or on-site support and is treated differently.

- Confirmed:
 - Definitions and distinctions will be reviewed and clarified as part of upcoming public consultation and policy refinement.

d. Parks and Recreation

Operations (April)

- Primary focus areas for the month included:
 - Seasonal staff hiring
 - Procurement activity
 - Program launches

Procurement

- Seven procurement processes were issued during April.
- This represents approximately 50% of planned procurement activity for the fiscal year.

Program Registration

- Registration for programs:
 - Opens at 6:00 p.m.
 - In-person assistance available at Town Hall from 6:00 p.m. to 7:00 p.m.
- In-person option supports accessibility and inclusion for residents who may not register online.

Staffing Update

- Director Craig Langille acknowledged and thanked Bekah Craik for her service with the Town over the past 3–4 years as she is departing for another opportunity.
- Recruitment is planned with the goal of filling the position by mid-June.

Councillor Cathy Maxwell on vandalism at recreation facilities

- Asked whether discussions have taken place regarding the installation of security cameras at facilities in response to ongoing vandalism.
- Response from Director Craig Langille:
 - Cameras were installed in the arena in March.
 - Collaboration underway with IT staff and Kentville Police Service to install cameras at the Rec Hub.
 - Installation at the Rec Hub is expected within the coming month.
 - Noted:
 - The Rec Hub is an area prone to vandalism
 - It also hosts an after-school program, strengthening the case for increased security measures

e. Kentville Police Services

Opening Remarks

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- Chief Marty Smith acknowledged National Police Week (May 10–16).
- Recognized the work of frontline officers and administrative staff.
- Highlighted the demanding nature of policing and expressed appreciation for staff contributions.

Operational Overview

- March call volume was consistent with 2025 levels.
- Approximately 34% of calls continue to originate from the downtown core.
- Staffing continued to be impacted by training requirements, which are highest during this time of year.

Street Crime Enforcement

- Kentville Police Service participated in an integrated enforcement initiative with RCMP:
 - Focused on illegal cannabis operations
 - Included significant investigative work and enforcement activity

Councillor Cathy Maxwell on interpretation of occurrence statistics

- Asked how to interpret statistics related to:
 - Liquor offences
 - Mental health calls
 - Trespass incidents
 - Whether these result in charges
- Response from Chief Marty Smith:
 - Not all calls result in charges; outcomes vary by situation:

Liquor Offences

- Example: public intoxication
- Individuals are often held overnight (“time served”) rather than charged

Mental Health Calls

- Not criminal offences
- May involve apprehension under the Involuntary Psychiatric Treatment Act (IPTA)
- Police must transport individuals to hospital and remain with them during assessment
- Many individuals are released without admission due to:
 - Capacity limitations
 - Being assessed as “baseline”

Criminal Code – Causing a Disturbance

- Can result in charges if a complainant comes forward
- Outcomes depend on:
 - Criminal history
 - Current conditions
 - Crown decisions

Mayor Andrew Zebian on repeat incidents and use of custody

- Asked how often individuals can repeatedly cause disturbances and what limits exist.
- Response from Chief Marty Smith:
 - Outcomes vary case-by-case depending on:
 - Prior record
 - Severity of incident
 - Crown decision to detain or release
 - Many repeat cases involve individuals needing health or social supports, not the court system.
 - Policing alone cannot resolve underlying issues.
- Additional Information:
 - Approximately 156 individuals were held in custody in the previous year (approximate figure).
 - Use of custody is increasing but remains within historical ranges.

Councillor Cate Savage on root causes and system gaps

- Asked what solutions may be required (e.g., mobile mental health units).
- Response from Chief Marty Smith:
 - Additional services would help, but core issue is lack of access to supports:
 - Long waits for mental health services
 - Limited addiction treatment options
 - Individuals cannot be forced into treatment.
 - The system requires:
 - Multi-agency collaboration
 - Expanded access to care
 - Realistic service availability
- Key Point:

Police are often the default response, but are not equipped to resolve underlying health issues.

Councillor Rob Baker on police wellness funding

- Asked about reductions in staff wellness grant funding.
- Response from Chief Marty Smith:
 - Provincial grant remains available but has decreased in value due to broader uptake:
 - Approx. \$3,000 initially, reduced to ~\$1,000–\$2,000
 - Still provides meaningful support for staff wellness initiatives.

Councillor Rob Baker on compassion dog program

- Asked about status of proposed compassion dog initiative.

- Response from Chief Marty Smith:
 - Program remains a goal but is dependent on a staff member willing to assume responsibility.
 - Requirements:
 - Dog lives with handler
 - Ongoing training and public engagement responsibilities
 - Fully funded; no financial barrier.
 - Strong potential benefits:
 - Community engagement
 - Support for victims
 - Mental wellness support

Councillor Cathy Maxwell follow-up on justice system challenges

- Asked about escalation pathways and repeated assessments.
- Response from Chief Marty Smith:
 - Assessments can be requested, but require:
 - Crown or judicial approval
 - Applied only after repeated incidents and documentation
 - Balancing public safety with individual rights is a key constraint

Councillor Cathy Maxwell on Advocacy

- Chief confirmed:
 - Concerns are raised through:
 - Police unions
 - Nova Scotia Chiefs of Police
 - Direct communication with Crown representatives
 - However, police cannot direct justice system decisions

Council Discussion (General)

- Council and Chief noted:
 - Increasing number of individuals with complex needs in the downtown core
 - Overlap between:
 - Mental health
 - Addictions
 - Homelessness
 - Concern that support systems are insufficiently resourced
- Mayor emphasized:
 - This is not solely a policing issue
 - Police are acting as the default responders due to system gaps
 - More effective provincial support structures are needed

Public Reporting Reminder

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- Chief emphasized the importance of reporting incidents:
 - Residents should call police dispatch, not email
 - Non-emergency line: 902-678-3378
 - Emergency: 911
- Anonymous reporting is available.

5. NEW BUSINESS

a. Policy 111 – Banners

Councillor Rob Baker asked for confirmation that the policy update was generated from interest from the Legion in order to fly memorial banners during the month of December. He inquired about other organizations that are interested in doing similar things and if staff knew what that exposure is like. Mayor Andrew Zebian responded that once the policy is approved, they'll come as interest comes.

It was moved by Councillor Cate Savage, seconded by Councillor Cathy Maxwell that Council approve Policy 111 – Banners.

MOTION CARRIED

b. Valley Region Solid Waste-Resource Management Authority Guarantee Resolution

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor Rob Baker that Council approve a guarantee resolution of \$193,446 for Valley Region Solid Waste-Resource Management regarding the 2026-27 fiscal year capital budget.

MOTION CARRIED

6. PUBLIC COMMENTS

There were no public comments.

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor John Andrew, that Council move into closed session at 6:15 p.m.

MOTION CARRIED

7. CLOSED SESSION

- a. Municipal Government Act – Section 22(2)(a) – Sale of Municipal Property

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RETURN FROM CLOSED SESSION

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor Rob Baker, that the meeting return from closed session at 6:45 p.m.

MOTION CARRIED

8. ADJOURNMENT

There being no further business, the meeting adjourned at 6:45 p.m.

Approval Date

Mayor Andrew Zebian

Project Update: Community Climate Risk Assessment TOK2026

Meeting Date: June 8th, 2026
Department: Planning and Development

RECOMMENDATION

N/A

SUMMARY

This report provides a Quarter 1 (March – May 2026) project update for the Community Climate Risk Assessment, including a project background, a summary of milestones, and project timeline.

BACKGROUND

The Green Municipal Fund's Local Leadership for Climate Adaptation's (LLCA) Climate Ready Plans and Processes (CRPP) grant, awarded to Kentville in summer 2025, covered the staff wage for the Town to hire a Climate Action Coordinator for a one-year term position to complete a Community Climate Risk Assessment. This project aims to better understand the current and projected pressures that climate change and its impacts place on the Kentville community, its infrastructure, and its municipal service delivery; and to identify strategic pathways toward climate risk mitigation. These objectives are being accomplished through the following project milestones:

1. Compiling and assessing a Community Climate Risk Registry made up of current climate hazards and vulnerability data, social vulnerability data, and municipal asset data;
2. Hosting community engagements to capture the climate adaptation-related priorities of the community, with a focus on understanding the needs of vulnerable populations;
3. Creating and Climate Risk Matrix by cross-referencing the Climate Risk Registry with key priorities sites and spaces identified through community engagement;
4. Completing a Climate Resiliency Analysis by exploring possible recommendations for medium to extreme risk scores identified through Climate Risk Analysis Matrix; and
5. Providing pathways toward implementation and supporting the integration of an adaptive approach into municipal operations through plans and policy.

By completing this Community Climate Risk Assessment project, the Town of Kentville will be better positioned to begin addressing the adaptive needs and priorities of the community, and to develop and adopt a Climate Change Adaptation Plan and/or Policy.

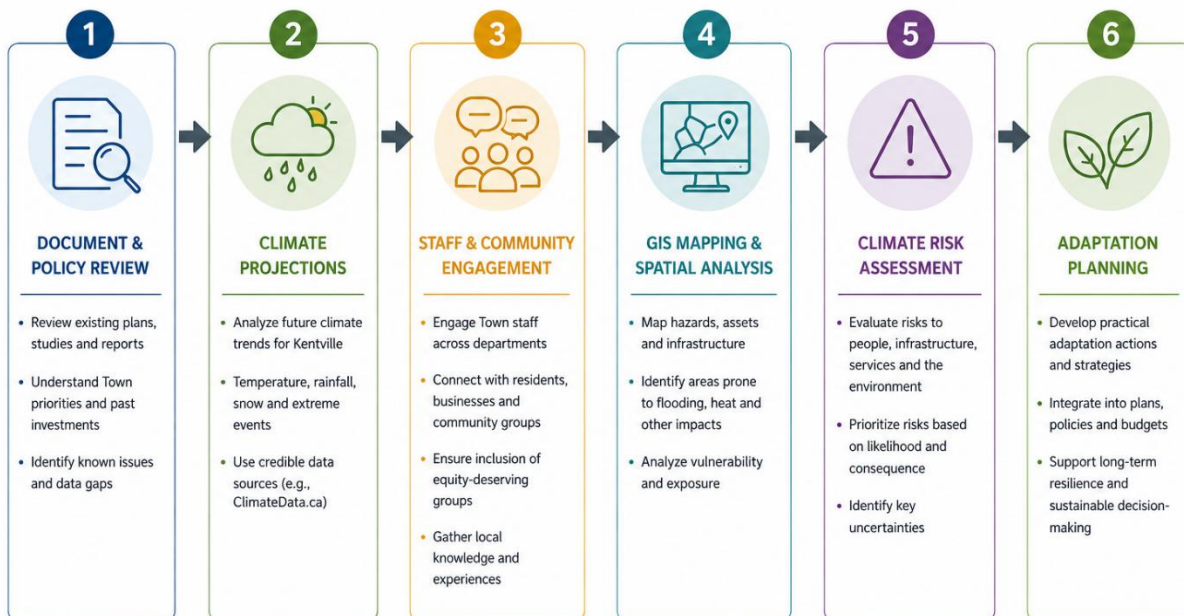
RELATED COUNCIL DISCUSSIONS

- LLCA CRPP application Fall 2024
- Stormwater Management Master Plan
- Sustainable Community Climate Fund (SCCF) Application 2025

IMPORTANT DATES AND/OR TIMELINE UPDATE

- Project must be completed by February 28, 2027
- Milestone 1: Completed
- Milestone 2: In-progress
- Milestone 3: In-progress
- Milestone 4: Anticipated to begin by July 1, 2026
- Milestone 5: Anticipated to begin by October 1, 2026
- Milestone 6: Anticipated to begin by December 2026

Our Project Workflow



BUDGET IMPLICATIONS

N/A

RECOMMENDATION

N/A

Apr 2026



ADMINISTRATION	2025	2026
SOT's	43	28
Foot Patrol	140	143
Criminal Code Charges	34	72
Calls for Service	284	427

HIGHLIGHTS/INITIATIVES:

- Hosted Annual Wellness Symposium at Kingstec for First Responders

PATROL:

- 38% of the calls were in the downtown core dealing with suspicious persons/trespassing/wellbeing checks and mental health calls.
- Increase this month with 427 calls for service. 50% increase in call volume
- Proactive enforcement for school bus violations
- 32 Checkpoints
- 5 Impaired driving related charges

TRAINING:

- 80 hours of training
- Restorative Justice Training-all staff
- Phased Interview

BY-LAW

- 143 hours Foot Patrol
- 58 parking Tickets
- 51 Warning tickets
- 14 smoking infractions
- 10 Assist KPS with calls
- 5 Municipal By-Law investigations

Apr 2026



COMMUNITY ENGAGEMENT SERGEANT:

- Cyber Safety Talk at KCA
- Office tour for KCA students
- Youth Program-Drill
- Kings Senior Safety/Police Liaison Meetings
- Assisted Shift on many shifts with increase in call volume

COMMUNITY CRISIS NAVIGATOR:

- 5 Agency Meetings - Victim Services, Portal Youth, Legal Aid
- 3 Community Presence/Involvement - Assisted with victim in court, attended the Youth Portal to work with individuals
- 4 Referrals Received
- 17 Client Interactions
- 12 Calls deferred to CCN allowing members to focus on other matters

INVESTIGATIVE SECTIONS:

GENERAL INVESTIGATIVE SECTION

- 9 active investigations
- 5 Search Warrants/Production Orders executed
- 2026-53503 Possession of Child Porn, several mobile devices seized with hundreds of videos seized related to child pornography
- An investigation into credit card fraud affecting a local business is ongoing, with a suspect identified and charges pending
- Assistance provided to patrol officers resulted in the recovery of a stolen E-Bike
- Youth Internet Safety presentation for KCA, KPS youth Group, and to Annapolis Valley Regional Centre for Education (Very well received by Staff)

STREET CRIME ENFORCEMENT UNIT

- 8 active investigations
- 9 Search Warrants/Production Orders executed
- 2026-53503 Possession of Child Porn
- 2026-223258 Illegal Cannabis possession and distribution
- 2026-394718 - Assistance writing a Production Order which was granted for a Fraud File totaling over \$100,000

CRIMINAL INTELLIGENCE SERVICE NOVA SCOTIA

- Site Visits to Middleton, Kings and Bridgetown
- Assisted with Project Haze, seized over \$160,000 in cash, \$600,000 worth of cannabis, tobacco and psilocybin
- Surveillance for active investigations
- Warrant writing for large project

Occurrence Stats

Violation group - Unknown	Reported	Un-founded	Actual	Not cleared	Clearance			Adult		Youth		
					By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
8999 9999 Cancellation of Occurrence	1	0	1	0	0	0	0.0%	0	0	0	0	0
	1	0	1	0	0	0	0.0%	0	0	0	0	0
Violation group - Traffic Offences - Traffic Accidents	Reported	Un-founded	Actual	Not cleared	By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
9930 0020 Traffic Collision(s) - Non - Fatal Injury	1	0	1	0	0	0	0.0%	0	0	0	0	0
9930 0030 Traffic Collision(s) - Property Damage - Reportable	2	0	2	0	0	0	0.0%	0	0	0	0	0
9930 0040 Traffic Collision(s) - Property Damage - Non - Reportable	2	0	2	1	0	0	0.0%	0	0	0	0	0
	5	0	5	1	0	0	0.0%	0	0	0	0	0
Violation group - Traffic Offences - Provincial Traffic Offences	Reported	Un-founded	Actual	Not cleared	By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
9900 0040 Other Moving Traffic Violations - Provincial/Territorial	12	1	11	1	3	0	27.3%	1	0	0	0	0
9900 0050 Motor Vehicle Insurance Coverage Violations-Provincial/Territorial	3	0	3	0	3	0	100.0%	1	1	0	0	0
9900 0060 Parking Offences (Provincial/Territorial)	4	0	4	0	0	0	0.0%	0	0	0	0	0
9900 0070 Other Non-Moving Traffic - Provincial/Territorial	6	0	6	0	5	0	83.3%	1	4	0	0	0
9900 0100 Dangerous Driving (Provincial/Territorial)	1	0	1	0	0	1	100.0%	0	0	0	0	0
9900 0120 Driving While Disqualified or License Suspension (Provincial/Territorial)	3	0	3	0	3	0	100.0%	2	0	0	0	0
	29	1	28	1	14	1	53.6%	5	5	0	0	0
Violation group - Traffic Offences - Other Traffic Related Duties	Reported	Un-founded	Actual	Not cleared	By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
8840 0386 Motor Vehicle Act - Other Activities (except traffic warnings)	2	0	2	0	1	0	50.0%	1	0	0	0	0
9960 0020 Checkstop	32	0	32	0	0	0	0.0%	0	0	0	0	0
	34	0	34	0	1	0	2.9%	1	0	0	0	0
Violation group - Traffic offences - Impaired Operation Related Offences	Reported	Un-founded	Actual	Not cleared	By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
9230 0070 Operation while impaired (alcohol)/equal to or exceeds 80 mg% of motor vehicle	2	1	1	1	0	0	0.0%	0	0	0	0	0
9233 0010 Operation while impaired (alcohol and drug)/equal to or exceeds 80 mg% of a motor vehicle	1	0	1	1	0	0	0.0%	0	0	0	0	0

Occurrence Stats

Violation group - Traffic offences - Impaired Operation Related Offences	Reported	Un- founded	Actual	Not cleared	Clearance			Adult		Youth		
					By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
9235 0070 Operation while impaired (drug) of Motor Vehicle	3	0	3	1	2	0	66.7%	2	0	0	0	0
	6	1	5	3	2	0	40.0%	2	0	0	0	0
Violation group - Traffic offences - Dangerous Operation of Motor	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
9133 0030 No Pursuit Involved - Flight From Peace Officer	1	0	1	1	0	0	0.0%	0	0	0	0	0
	1	0	1	1	0	0	0.0%	0	0	0	0	0
Violation group - Provincial Statutes {except traffic}	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
7100 0012 Liquor Act (Provincial/Territorial) - Offences Only	5	0	5	0	1	4	100.0%	1	0	0	0	0
7300 0010 Child, Youth and Family Services Act - Offences Only	1	0	1	0	0	1	100.0%	0	0	0	0	0
7300 0100 Mental Health Act - Offences Only	2	0	2	2	0	0	0.0%	0	0	0	0	0
7300 0110 911 Act - Offences Only	2	1	1	1	0	0	0.0%	0	0	0	0	0
7300 0130 Provincial/Territorial Environmental Legislation - Offences Only	1	0	1	1	0	0	0.0%	0	0	0	0	0
7300 0180 Trespass Act - Provincial/Territorial - Offences Only	14	0	14	8	0	6	42.9%	0	0	0	0	0
7300 0900 Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only	3	0	3	1	2	0	66.7%	1	1	0	0	0
8840 0281 Liquor Act (Provincial/Territorial) - Other Activities	2	0	2	0	0	0	0.0%	0	0	0	0	0
8840 0291 Child, Youth and Family Services Act - Other Activities	1	0	1	0	0	0	0.0%	0	0	0	0	0
8840 0297 Coroner's Act - Sudden Death/Other Activities	1	0	1	1	0	0	0.0%	0	0	0	0	0
8840 0306 Family Law Act – Other Activities	1	0	1	0	0	0	0.0%	0	0	0	0	0
8840 0336 Mental Health Act - Other Activities	35	0	35	1	0	1	2.9%	0	0	0	0	0
8840 0341 911 Act - Other Activities	3	0	3	0	0	0	0.0%	0	0	0	0	0
8840 0376 Trespass Act - Provincial/Territorial - Other Activities	31	0	31	4	0	1	3.2%	0	0	0	0	0
8840 0381 Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities	16	0	16	1	0	1	6.3%	0	0	0	0	0
	118	1	117	20	3	14	14.5%	2	1	0	0	0

Occurrence Stats

Violation group - Provincial Statutes - Municipal By-laws	Reported	Un- founded	Actual	Not cleared	Clearance			Adult		Youth		
					By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
9955 0010 Municipal Bylaws - Other	16	0	16	2	0	1	6.3%	0	0	0	0	0
	16	0	16	2	0	1	6.3%	0	0	0	0	0
Violation group - Other Criminal Code - Other Criminal Code	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
3410 0050 Failure to comply with undertaking	5	0	5	0	5	0	100.0%	3	1	0	0	0
3410 0060 Failure to comply with order	2	0	2	0	3	0	150.0%	3	0	0	0	0
3430 0010 Disturbing the peace/Causing a disturbance	10	1	9	6	0	2	22.2%	0	0	0	0	0
3520 0010 Fail to comply probation order	3	0	3	0	3	0	100.0%	2	1	0	0	0
	20	1	19	6	11	2	68.4%	8	2	0	0	0
Violation group - Other Criminal Code - Offensive Weapons	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
3375 0015 Possession of weapon for dangerous purpose	1	0	1	1	0	0	0.0%	0	0	0	0	0
3375 0055 Unauthorized possession of a firearm/prohibited weapon or restricted weapon	1	0	1	1	0	0	0.0%	0	0	0	0	0
	2	0	2	2	0	0	0.0%	0	0	0	0	0
Violation group - Other Criminal Code - Offences Against Morals	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
3456 0080 Child Sexual Abuse and Exploitation Material - Transmits, makes available, distributes, sells or advertises	0	0	0	0	1	0	0.0%	1	0	0	0	0
	0	0	0	0	1	0	0.0%	1	0	0	0	0
Violation group - Drug Enforcement - Trafficking	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
4220 0020 Possession for the Purpose of Trafficking - Schedule I: Cocaine	1	0	1	0	1	0	100.0%	0	1	0	0	0
	1	0	1	0	1	0	100.0%	0	1	0	0	0
Violation group - Drug Enforcement - Possession	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
4170 0020 Possession - Schedule I: Fentanyl (And Analogues)	1	0	1	0	1	0	100.0%	1	0	0	0	0
	1	0	1	0	1	0	100.0%	1	0	0	0	0

Occurrence Stats

Violation group - Drug Enforcement - Drug Enforcement Other	Reported	Un-founded	Actual	Not cleared	Clearance			Adult		Youth		
					By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
8840 0001 Controlled Drugs & Substance Act - Other Activities	1	0	1	0	0	0	0.0%	0	0	0	0	0
	1	0	1	0	0	0	0.0%	0	0	0	0	0
Violation group - Crimes Against the Person - Robbery/Extortion/Harassment/Threats	Reported	Un-founded	Actual	Not cleared	By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
1620 0020 Extortion without firearm	1	0	1	1	0	0	0.0%	0	0	0	0	0
1625 0010 Criminal Harassment	2	0	2	2	0	0	0.0%	0	0	0	0	0
1626 0040 Harassing communications	1	1	0	0	0	0	0.0%	0	0	0	0	0
1627 0010 Uttering threats against a person	3	0	3	2	0	1	33.3%	0	0	0	0	0
	7	1	6	5	0	1	16.7%	0	0	0	0	0
Violation group - Crimes Against the Person - Assaults {excluding sexual assaults}	Reported	Un-founded	Actual	Not cleared	By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
1420 0010 Assault With Weapon or Causing Bodily Harm	1	0	1	0	1	0	100.0%	0	0	0	0	0
1430 0010 Assault	7	2	5	0	3	2	100.0%	1	2	0	0	0
1455 0020 Using imitation of a firearm in the commission of an offence	0	0	0	0	0	0	0.0%	1	0	0	0	0
1460 0010 Assault on Police Officer	2	0	2	0	2	0	100.0%	0	1	0	0	0
	10	2	8	0	6	2	100.0%	2	3	0	0	0
Violation group - Crimes Against Property - Theft under \$5000.00	Reported	Un-founded	Actual	Not cleared	By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
2140 0011 Other theft under \$5000	10	2	8	5	3	0	37.5%	1	2	0	0	0
2140 0051 Theft of bicycle under or equal to \$5000	2	0	2	2	0	0	0.0%	0	0	0	0	0
2140 0080 Theft of electric/gas/telecommunication service under or equal to \$5000	1	0	1	1	0	0	0.0%	0	0	0	0	0
2143 0010 Theft under or equal to \$5000 - Shoplifting	7	0	7	4	2	3	71.4%	2	0	0	0	0
	20	2	18	12	5	3	44.4%	3	2	0	0	0
Violation group - Crimes Against Property - Theft over \$5000.00	Reported	Un-founded	Actual	Not cleared	By Charge	Other-wise	Rate	Male	Female	Male	Female	Not Charged
2130 0051 Theft of bicycle over \$5000	1	0	1	1	0	0	0.0%	0	0	0	0	0

Occurrence Stats

Violation group - Crimes Against Property - Theft over \$5000.00	Reported	Un- founded	Actual	Not cleared	Clearance			Adult		Youth		
					By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
2135 0100 Theft of car	1	0	1	1	0	0	0.0%	0	0	0	0	0
	2	0	2	2	0	0	0.0%	0	0	0	0	0
Violation group - Crimes Against Property - Mischief	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
2170 0091 Mischief - damage to property (except motor vehicle) 430(3)&(4) CC	7	0	7	6	0	1	14.3%	0	0	0	0	0
2170 0100 Mischief - Obstruct enjoyment of property	4	0	4	3	0	0	0.0%	0	0	0	0	0
	11	0	11	9	0	1	9.1%	0	0	0	0	0
Violation group - Crimes Against Property - Fraud	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
2160 0070 Fraud (money/property/security) greater than \$5000	2	0	2	2	0	0	0.0%	0	0	0	0	0
	2	0	2	2	0	0	0.0%	0	0	0	0	0
Violation group - Crimes Against Property - Break and Enter	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
2120 0020 Break and Enter - Residence	1	0	1	1	0	0	0.0%	0	0	0	0	0
	1	0	1	1	0	0	0.0%	0	0	0	0	0
Violation group - Crimes Against Property - Arson (excluding offences related to death)	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
2110 0011 Arson - damage to property (except motor vehicle)	0	0	0	0	1	0	0.0%	1	0	0	0	0
	0	0	0	0	1	0	0.0%	1	0	0	0	0
Violation group - Crime Prevention/Community Based	Reported	Un- founded	Actual	Not cleared	By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
8830 0010 Crime Prevention	2	0	2	1	0	0	0.0%	0	0	0	0	0
	2	0	2	1	0	0	0.0%	0	0	0	0	0

Occurrence Stats

Violation group - Common Police Activities - Related Police Activities	Reported	Un- founded	Actual	Not cleared	Clearance			Adult		Youth		
					By Charge	Other- wise	Rate	Male	Female	Male	Female	Not Charged
8500 0110 Offender Management	3	0	3	3	0	0	0.0%	0	0	0	0	0
8550 0030 Suspicious Person/ Vehicle/ Property	18	1	17	6	0	0	0.0%	0	0	0	0	0
8550 0040 Animal Calls	1	0	1	0	0	1	100.0%	0	0	0	0	0
8550 0050 False Alarms	21	0	21	0	0	0	0.0%	0	0	0	0	0
8550 0060 Items Lost/Found - except passports	16	0	16	3	0	0	0.0%	0	0	0	0	0
8550 0140 Breach of Peace	7	0	7	2	0	1	14.3%	0	0	0	0	0
	66	1	65	14	0	2	3.1%	0	0	0	0	0
Violation group - Common Police Activities - Information Files	Reported	Un- founded	Actual	Not cleared	Clearance			Adult		Youth		
8535 0010 Information File	8	0	8	2	0	0	0.0%	0	0	0	0	0
	8	0	8	2	0	0	0.0%	0	0	0	0	0
Violation group - Common Police Activities - Assistance to General Public	Reported	Un- founded	Actual	Not cleared	Clearance			Adult		Youth		
8546 0010 Assist General Public	10	0	10	2	0	1	10.0%	0	0	0	0	0
8550 0190 Wellbeing Check	37	0	37	3	0	0	0.0%	0	0	0	0	0
	47	0	47	5	0	1	2.1%	0	0	0	0	0
Violation group - Common Police Activities - Assistance Files	Reported	Un- founded	Actual	Not cleared	Clearance			Adult		Youth		
8545 0020 Assistance to Canadian Provincial/Territorial Dept/Agency	14	0	14	1	0	0	0.0%	0	0	0	0	0
8545 0030 Assistance to Non-Government Canadian Agency	1	0	1	0	0	0	0.0%	0	0	0	0	0
8545 0040 Assistance to Canadian Police (non-RCMP) Agency	1	0	1	1	0	0	0.0%	0	0	0	0	0
	16	0	16	2	0	0	0.0%	0	0	0	0	0
Totals	Reported	Un- founded	Actual	Not cleared	Clearance			Adult		Youth		
	427	10	417	91	46	28	17.7%	26	14	0	0	0



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Kentville

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Chief of Police

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2026/05/07

Kentville BoPC,

Surveillance Camera Installation in Kentville public spaces

In November 2025, the Board received a request from the Council to explore the most cost-effective strategy for installing surveillance cameras in public spaces. This initiative comes as a response to the increasing incidents of vandalism in parks and recreational facilities within the Town of Kentville. The primary aim is to mitigate property damage and enhance the security of these areas.

Discussions with Jason Bethune and Director Langille reveal that extensive research has been conducted on this topic. Plans are underway to install surveillance cameras at various locations owned by the Town of Kentville, focusing particularly on buildings that have experienced significant property damage. This strategy is believed to be the most effective means of addressing the issue at hand.

The Kentville Police Service is actively involved in this project. They are informed of any damage to town property and keep such areas under regular surveillance during patrols and investigate these offences. The introduction of camera footage will play a crucial role in identifying those responsible for vandalism. However, it is important to note that while cameras can aid in identification, they do not necessarily prevent vandalism or guarantee the identifying the source of the damage.

As the project progresses into its implementation phase, the Kentville Police Service is committed to offering guidance and assistance to Jason Bethune and Director Langille. This collaboration aims to ensure the successful deployment and

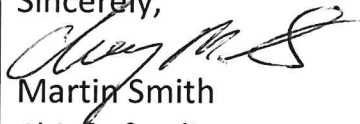
COMMITTED TO THE COMMUNITY

operation of the surveillance system.

To ensure adherence to privacy regulations, a copy of the West Hants Video Surveillance Policy has been provided, along with Video Surveillance Guidelines from the Office of the Information and Privacy Commissioner of Nova Scotia. These documents serve as important resources, outlining the guidelines that the Municipality must follow when installing video cameras in public spaces. West Hants' policy is comprehensive and serves as an excellent reference for this project.

As the project moves forward, continued collaboration and compliance will be key to its success.

Sincerely,



Martin Smith
Chief of Police
Kentville Police Service



Video Surveillance Guidelines

Office of the Information and Privacy Commissioner of Nova Scotia



Forward

The Office of the Information and Privacy Commissioner for Nova Scotia (OIPC) has a public education mandate under the *Privacy Review Officer Act*. In combination with the *Video Surveillance Policy Template* this document is intended to provide public bodies and municipalities with the information necessary to ensure that any use of video surveillance is in compliance with their privacy obligations set out in the *Freedom of Information and Protection of Privacy Act (FOIPOP)* and the *Municipal Government Act (MGA)*.

Acknowledgments

The Office of the Information and Privacy Commissioner for Nova Scotia gratefully acknowledges that this guidance document is based in part on the work of:

- Office of the Information and Privacy Commissioner for Ontario, *Guidelines for the Use of Video Surveillance*, October 2015 https://www.ipc.on.ca/wp-content/uploads/Resources/2015_Guidelines_Surveillance.pdf
- Office of the Information and Privacy Commissioner for British Columbia, *Guide to using overt video surveillance*, December 2016 <https://www.oipc.bc.ca/guidance-documents/2006>
- Office of the Information and Privacy Commissioner for Newfoundland and Labrador, *OIPC Guidelines for Video Surveillance by Public Bodies in Newfoundland and Labrador*, June 26, 2016 <http://www.oipc.nl.ca/pdfs/GuidelinesForVideoSurveillance.pdf>.
- Office of the Saskatchewan Information and Privacy Commissioner, *Video Surveillance Guidelines for Public Bodies*, March 2016 <http://www.oipc.sk.ca/Resources/2016-2017/Video%20Surveillance%20Guidelines.pdf>
- Privacy Commissioner of New Zealand, *Privacy and CCTV: A guide to the Privacy Act for businesses, agencies and organizations*, October 2009 <https://www.privacy.org.nz/assets/Files/Brochures-and-pamphlets-and-pubs/Privacy-and-CCTV-A-guide-October-2009.pdf>

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Appendix A: Video Surveillance Compliance Checklist

Introduction

The purpose of this document is to assist public bodies and municipalities in Nova Scotia in deciding whether collection of personal information by means of video surveillance is both lawful and justifiable and if so, what privacy protection measures must be considered. The guidelines can be used to evaluate an existing video surveillance program or to determine whether and how to implement a new video surveillance program. Use the Video Surveillance Compliance Checklist at Appendix A to assess an existing video surveillance program against these guidelines and for ongoing review of new systems.

These guidelines do not apply to covert surveillance, or surveillance when used as a case-specific investigation tool for law enforcement purposes where there is a statutory authority or authority of a search warrant to conduct the surveillance.

Video surveillance, or CCTV (closed-circuit television) as it is sometimes known, refers to any video surveillance technology (video cameras, still frame cameras, digital cameras and time-lapse cameras) that enables continuous or periodic recording (videotapes, photographs or digital images), viewing, or monitoring of public areas.

Video surveillance is common place in Nova Scotia. For example, in 2016 an informal survey of municipalities revealed that almost 70% of municipalities in Nova Scotia use some form of video surveillance.¹ None of the municipalities who reported employing video surveillance had conducted a privacy impact assessment of the surveillance before implementing it.

Public bodies and municipalities may have legitimate operational purposes for using CCTV systems, but cameras do not just capture particular incidents of crime, they also record the daily activities of anyone passing within view of the camera. Despite many international studies on the subject there is no clear consensus whether surveillance systems deter crime.²

FOIPOP & MGA: The Privacy Rules

The collection, use and disclosure of personal information by public bodies and municipalities in Nova Scotia is governed by rules set out in the *Freedom of Information and Protection of Privacy Act (FOIPOP)* and the *Municipal Government Act, Part XX (MGA)*. The privacy rules in these two laws are virtually identical. Public bodies and municipalities cannot collect, use or disclose any personal information unless specifically authorized under these laws. Video surveillance collects personal information in the form of images of individuals participating in various activities from walking down a street to spray painting your front door with graffiti.

¹ The OIPC conducted a voluntary survey of 53 municipalities, districts, regions and towns in Nova Scotia in August 2016. Of the 53, 25 responded to the survey and 68% reported having video surveillance cameras. The average number of cameras reported was 8.25.

² The Office of the Information and Privacy Commissioner for Newfoundland and Labrador conducted a literature review prior to producing its video surveillance guidelines, *OIPC Guidelines for Video Surveillance by Public Bodies in Newfoundland and Labrador* in June 2015. This observation is based on that office's guideline at p. 2.

Step 1: Decide whether video surveillance is right for you

Before you decide to implement video surveillance, outline your proposal and then subject it to the following preliminary analysis by answering four questions:

1. Is the video surveillance demonstrably necessary to meet a specific need?
2. Is there a less privacy invasive way of achieving the same end?
3. Is the video surveillance likely to be effective in meeting that need?
4. Is the loss of privacy created by the surveillance proportional to the need?

1. Is the video surveillance demonstrably necessary to meet a specific need?

Begin by identifying the exact problem you want to solve. The need you identify must be pressing and substantial, of sufficient importance to warrant overriding the right of innocent individuals to be free from surveillance in a public place. Accordingly, concrete evidence of the problem to be addressed is necessary. This should include real evidence of the risks, dangers, crime rates, etc. Specific and verifiable reports of incidents of crime, public safety concerns or other compelling circumstances are needed, not just anecdotal evidence or speculation.

If you are evaluating an existing video surveillance program, identify the original purpose for the surveillance program. Then review the history of the use of the surveillance to see when, if ever, the surveillance has been used to address the identified problem. How many times since implementation has this occurred? Also look to see if the identified problem has ceased to occur and/or continues to occur but outside of the video surveillance area or despite the video surveillance.

Remember you are trying to establish if the surveillance is demonstrably necessary to meet a specific need. Once you have clear evidence of a need, consider how exactly the video surveillance is demonstrably necessary to meet the need. To evaluate the demonstrable need, list all of the other strategies you have tried to address the need. Identify why these strategies have not worked. Then describe exactly how video surveillance is necessary to address the specific need.

2. Is there a less privacy invasive way of achieving the same end?

Explain what less privacy invasive methods you have already tried to meet the identified need. Sometimes if the problem is vandalism for example, brighter lights, a change in the security guard's routine or better signage may be all that's necessary to reduce the problem. Sometimes even a change in façade can significantly reduce vandalism in the form of graffiti. For example, many cities have found that murals serve as a major deterrent to graffiti. Before implementing video surveillance you must document all of the less privacy invasive efforts that were attempted and the results of those strategies.

If you have an existing video surveillance system, consider testing a less privacy invasive alternative to video surveillance to see if it can achieve the same end.

3. Is the video surveillance likely to be effective in meeting that need?

If you have concluded that the surveillance is demonstrably necessary to meet a specific need, evaluate next whether video surveillance is likely to be effective in meeting that need. So, for example, if your identified need is to prevent crime in a certain area, how will video surveillance actually prevent crime? Certainly your implementation plan will have to call for live viewing of the surveillance, otherwise prevention cannot occur.

If you are evaluating an existing video surveillance program then you should have clear evidence of whether or not the video surveillance has been effective in meeting the identified need. Check historical records for the use of the video surveillance and compare it against the original identified problem. If necessary, conduct an investigation into the current scope of the originally identified problem. Does it still exist? Has your investigation determined that video surveillance had any effect at all on the problem? What evidence do you have to support your findings? If you conclude that video surveillance has been effective in meeting the identified need, which cameras, exactly, were effective in addressing the problem?

4. Is the loss of privacy created by the surveillance proportional to the need?

Once you have concrete, objective evidence that video surveillance is likely effective in meeting the need you have identified then move on to examine whether or not the loss of privacy created by the surveillance is proportional to the need. For example, if windows are repeatedly broken at a local community center, placing video surveillance at all community centers would be out of proportion to the identified need. So too would placing cameras inside of the centre if the only identified problem is windows from the outside. Likewise, if the vandalism only happens at night, collection of video images during the day would not be proportional to the identified need.

Reassess your video surveillance plan to reduce the scope so that any surveillance is clearly focused only on the problem identified. Strategies that limit periods of day for surveillance are better than always-on surveillance. Limit the number of cameras and have them only in locations where there is clear evidence of a problem identified as the rationale for CCTV. Reducing the scope of the surveillance and keeping it sharply focused on the identified problem will help to make the surveillance proportional to the need.

Conclusion

If you are able to answer “yes” to questions 1, 3, and 4 and “no” to question 2, then proceed with step 2. If you cannot then video surveillance is not the solution to the problem. Cameras already in existence that do not satisfy this four-part test should be turned off.

Step 2: Have a clear plan that complies with privacy laws

1. Develop a business plan

Develop a business plan for the CCTV system setting out:

- The purpose of the system.
- The outcome(s) that you expect.
- The type of technology and equipment that will be used.
- How the system will be operated.

If you already have a video surveillance system in place, conduct an audit of the system including all of the elements above plus a description of the system as it is currently used – number of cameras, hours of operation, scope of view, access to records, list of staff (by position) who currently have access to the recordings, types of disclosures currently permitted, types of uses currently permitted and retention periods.

Ensure that there is a named individual responsible for the operation of the video surveillance system.

2. Conduct a privacy impact assessment

Using the privacy impact assessment (PIA) templates available on the OIPC website, conduct a complete privacy impact assessment of the proposed or current video surveillance business plan: <https://oipc.novascotia.ca>.

By conducting a PIA you will ensure that the project is in compliance with Nova Scotia's privacy laws. The PIA will also assist you in identifying privacy risks and mitigation strategies and will ensure that you have a plan in place to mitigate those risks.

Adjust your business plan to ensure that the project addresses any privacy impacts identified through the PIA process.

At least once every two years review your privacy impact assessment to ensure that any new or emerging privacy risks have been identified and mitigated.

3. Consult with stakeholders

Before implementing video surveillance, public bodies and municipalities should determine if consultations should occur with relevant stakeholders and representatives of those potentially impacted to ensure the need of video surveillance is debated and to determine if there will be public support for the practice.

For instance, if you have employees who will be filmed by the cameras, you should definitely discuss this with them. Explaining the purpose for the CCTV and getting your staff on-side will make the system more effective. Also, talking to others can give you excellent information – such as indicating whether CCTV might cause you problems that you had not thought about.

Depending on the size of your system and the reasons for installing it, it may be also be useful to consult with:

- citizens,
- public interest groups,
- local community groups,

- other businesses,
- other agencies similar to your own that use CCTV,
- security specialists,
- the police,
- the Information and Privacy Commissioner.

Adjust your business plan to ensure that the project addresses any privacy impacts identified through the consultation process.

4. Develop a video surveillance policy

Your video surveillance policy is the tool you will use to make clear to employees and citizens how and when video surveillance will be used. The policy should, among other things, explain the rationale and purpose of the surveillance; when and how monitoring and/or recording will be in effect; how recordings will be used; retention periods; procedures for secure disposal of the recordings; and a process to follow if there is an unauthorized disclosure. Use the video surveillance policy template available on the OIPC website to guide you in the development of your policy: <https://oipc.novascotia.ca>.

5. Train staff on the use of the video surveillance system

Educating your employees on their roles and responsibilities, as defined in the policies and procedures you have developed, is an essential step to achieving an effective and compliant video surveillance program. How are employees to know what their individual duties and responsibilities are if they are not adequately trained on them? If employees are not aware of their roles and responsibilities, your institution may be at a greater risk of having a privacy breach. Accordingly, it is important that employees are trained to ensure that they understand the authorized and unauthorized uses of video surveillance and their duties and responsibilities under *FOIPOP* or the *MGA* with respect to your organization's video surveillance program.

Step 3: Implement best practices for design and installation of the video surveillance system

1. Limit the time your surveillance is active

Cameras that are live for certain times of the day or night are preferable to those that are turned on 24/7. Only monitor or record during the time period that meets your specific purpose. For instance, if you have experienced break-ins after hours, only use your cameras when the office is closed so you are not capturing images of employees and citizens.

2. Avoid unintended subjects

One of the unexpected consequences of video surveillance is that cameras can easily capture images of people who are not targets, which would not be authorized under *FOIPOP* or *MGA*.

- Position cameras to reduce unauthorized image capture. For example, a security camera should not capture images of passersby on the street.
- Avoid areas where people have a heightened expectation of privacy, such as change rooms, washrooms, or into windows.

3. Use adequate signage to notify the public

Post a clear, understandable notice about the use of cameras before citizens enter the premises and at the entrances to different areas within your property that are under surveillance (e.g.: parking lot). Notification is respectful of citizens' privacy rights and gives individuals the option not to enter. The sign should indicate plainly which area is under video surveillance and for what purpose, for example: "This property is monitored by video surveillance for theft prevention." It should also state the legal authority for collection of personal information via video surveillance and provide contact information for someone in your organization if individuals have questions about the surveillance.

4. Transmit and store any recorded images securely

Ensure that video surveillance images are securely transmitted. Surveillance equipment should be stored under lock and key to protect your employees, guests, customers, clients and your organization from the risks of a privacy breach. Don't remove images from your premises and always follow a strict storage protocol.

5. Destroy recorded images when they are no longer needed

Prepare a retention and destruction schedule to specify the length of time that surveillance records will be kept. We recommend a maximum of 30 days unless the record is used to make a decision that directly affects an individual – then the record must be kept for one year.³ Decide when and how records will be destroyed. Safely and securely destroy recorded images when they are no longer required for business purposes. Document the destruction in your logs.

6. Limit access to recorded images to authorized individuals

Your video surveillance policy should identify who is authorized to access the recordings. You should only review the recorded images to investigate a significant security or safety incident, such as when you have reported a crime to the police. Make sure that the right training is provided to your operators on an ongoing basis, so that they know their obligations under all relevant legislation. Minimize the number of individuals who have access to the system, monitoring, or recordings. All access to video records should be logged.

³ In accordance with s. 24(4) of *FOIPOP* and s. 483(4) of *MGA*.

Any disclosure of video surveillance recordings outside your organization should be authorized by the applicable privacy law and documented.

7. Open access to your video surveillance policy

Consider making your written surveillance policy available to the public. Citizens will appreciate your transparency and gain a better understanding of the purposes of the surveillance.

8. Consider right of access

Anyone whose image is captured by your surveillance video has the right to access their own personal images, so you must be prepared to provide a copy of the relevant surveillance recording upon request. When disclosing recordings, use masking technology to ensure that identifying information about other individuals on the recording is not revealed contrary to *FOIPOP* or the *MGA*.

Step 4: Review and evaluate the use of video surveillance

Periodically re-evaluate your need for video surveillance. Organizational needs change. An area that was once prone to high rates of criminal activity may, through development or other external factors, transform into a low crime area. Further, new, less intrusive means of achieving the same goals may become available. Accordingly, it is important that the necessity of your organization's video surveillance program regularly be considered to determine whether it is still justified in accordance with the requirements of *FOIPOP* or the *MGA*.

Conduct regular privacy training to ensure that all staff are aware of the policies and procedures with respect to the use of video surveillance.

Collect statistics about your CCTV system to allow you to assess its strengths and weaknesses. After a year of operation and at regular intervals afterwards, evaluate the operation of the system. Consider the original problem it was intended to address. How many times did the CCTV system actually address the problem? In addition, conduct an audit of the roles, responsibilities and practices of your organization's video surveillance program regularly to ensure that they comply with your policies and procedures.

Additional resources

The Office of the Information and Privacy Commissioner can provide comments on draft privacy impact assessments and video surveillance business plans. We can assist in identifying privacy risks and mitigation strategies. Our contact information is available on our website at:

<https://oipc.novascotia.ca>.

Appendix A: Video Surveillance Compliance Checklist

The following checklist will help to ensure that an existing video surveillance program is in compliance with best practices as described in this guideline.

Guideline	Actions and practices	Date checked	By
Step 2.1	Responsibility: There is a named individual who is responsible for the operation of the system.		
Step 2.2	PIA: There is a completed privacy impact assessment. All mitigation steps have been completed.		
Step 2.2	PIA Review: The PIA has been reviewed in the last two years to ensure that any new or emerging risks have been identified and mitigated.		
Step 2.4	Policy: The video surveillance policy is complete, approved and up to date.		
Step 2.5	Training: All staff, including new staff, have received training on the proper use of the video surveillance system and have been provided with the video surveillance policy.		
Step 3.1	Limit time of day: Cameras are only operating during times they are needed to address identified problems.		
Step 3.2	Unintended subjects: Cameras are focused specifically on problem areas. Cameras do not capture unintended or unauthorized images.		
Step 3.3	Adequate signage: There are video surveillance notification signs near every video camera. All signs include an explanation for the purpose of the surveillance, legal authority for collection and contact information.		
Step 3.4	Security: Video surveillance images are transmitted and stored securely.		
Step 3.5	Limited retention: Video images are only retained for the approved retention periods.		
Step 3.6	Limited access: Only approved individuals have access to video surveillance images. Access logs are regularly checked to ensure all accesses to images are authorized.		
Step 4	Regular review: The system is regularly reviewed to ensure it is working properly.		

Notice to Users

This document is intended to provide general information only. It is not intended, nor can it be relied upon, as legal advice. As an independent agency mandated to oversee compliance with *FOIPOP*, *MGA* and *PHIA*, the Office of the Information and Privacy Commissioner cannot approve in advance any proposal from a public body, municipality or health custodian. We must maintain our ability to investigate complaints and to provide recommendations in response to these complaints. The contents of this document do not fetter or bind this office with respect to any matter, including any complaint investigation or other matter, respecting which the Commissioner will keep an open mind. It remains the responsibility of each public body, municipality and health custodian, to ensure that they comply with their responsibilities under the relevant legislation. Further information about our role and mandate can be found at: <https://oipc.novascotia.ca>.



The West Hants Regional Municipality recognizes the delicate balance between an individual’s privacy and the need to protect the safety and security of the public. In respecting this balance, the Municipality is committed to integrating security best practices with the responsible use of technology. The information that is obtained through the use of video surveillance will be used for security and law enforcement purposes only. The Municipality ensures that the information captured on video surveillance is maintained as private, confidential, and secure, except in situations outlined by this policy.

1. PURPOSE

The purpose of this policy is to regulate the use of security cameras within the Municipality to address ongoing problems/challenges with undesirable and/or unlawful activities to enhance protection and increase security of the residents and visitors, employees or benefit these parties through the deterrence and detection of criminal activity including but not limited to theft, vandalism, property damage, illegal drug possession, trafficking and/or bomb threats. This policy applies to all streets and properties within the Municipality in the use of security camera monitoring and recording.

In this policy, video surveillance includes any associated audio recordings captured as part of the video recording process. Where warranted, the Municipality may use video surveillance systems in and around its facilities, properties, employees, and vehicles. For clarity, “video surveillance records” do not include traffic monitoring systems, webcams, or other media which may stream or broadcast video but have no recording function in operation.

The Municipality will develop a Video Surveillance System Policy that complies with the Freedom of Information and Protection of Privacy Act.

2. DEFINITIONS

Term	Definition
Access & Privacy Officer	The responsible officer under Part XX of the Municipal Government Act, S.N.S. 1998, c. 18, or his or her delegate.
Archive	The process of moving data that is no longer actively used to a separate storage device for long-term retention.
Authorized Personnel	Personnel authorized by the Chief Administrative Officer to operate surveillance equipment and access live or recorded material.
Chief Administrative Officer	The Chief Administrative Officer of the West Hants Regional Municipality



**WEST HANTS REGIONAL MUNICIPALITY
VIDEO SURVEILLANCE POLICY**

RCOFN-013.00

Designated Alternate	Person(s) designated by the Chief Administrative Officer
Consistent purpose	Means personal information collected by the Municipality used for the purpose for which it was collected or similar consistent purposes when carrying out Municipal business. The individual to whom the information relates might reasonably expect the use/disclosure of their personal information for those consistent purposes.
Control of Record	Means the keeping, care, watch, preservation or security of a record for a legitimate business purpose. While physical possession of a record may not always constitute custody, it is the best evidence of custody.
Destruction	Is the physical or electronic disposal of records or data by means of disposing, recycling, deletion or overwriting. This also includes the destruction of records or data residing on computers and electronic devices supplied or paid for by the Municipality.
Digital Video Recording Equipment	Means any type of video recording and reception equipment used as part of the video surveillance system.
Freedom of Information process	Means a formal process for access to records made under the Freedom of Information and Protection of Privacy Act (FOIPOP).
Information and Privacy Commissioner	Means the Office of the Information and Privacy Commissioner of Nova Scotia (OIPC). The OIPC hears appeals of decisions made by the public body, issues binding orders, conducts privacy investigations and has certain powers relating to the protection of personal privacy as set out in the Freedom of Information and Protection of Privacy Act (FOIPOP).
Personal Information	Means recorded information about an identifiable individual including the individual's name, address or telephone number, the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations, the individual's age, sex, sexual orientation, marital status or family status, an identifying number, symbol or other particular assigned to the individual, the individual's fingerprints, blood type or inheritable characteristics, information about the individual's health-care history, including a physical or mental disability, information about the individual's educational, financial, criminal or employment history, anyone else's opinions about the individual, and the individual's personal views or opinions, except if they are about someone else.



Privacy Impact Assessment (PIA)	The process applied to any public body for the purpose of determining the level of protection and security afforded to personal information that is collected, used or disclosed in a new modified information system. The security of information refers to the technical, physical and procedural measures taken to protect personal information from the time it is collected until a public body disposes of it.
Personal Breach	Means an incident involving unauthorized disclosure of personal information, including it being stolen, lost or accessed by unauthorized persons.
Record	Means information however recorded or stored, whether in printed form, on film, by electronic means or otherwise, and included documents, financial statements, minutes, accounts, correspondence, memoranda, plans, maps, drawings, photographs and films; includes transitional records.
Retention Period	Is the period of time during which a specific record series must be kept before records in that records series may be disposed of.
Service Provider	Means a video service provider, consultant or other contractor engaged by the Municipality in respect to video surveillance system.
Video Surveillance System	Means a mechanical or electronic system or device that enables continuous or periodic recording, and which may have the capacity of recording audio in addition to video images, observing or monitoring of Personal Information about individuals in open spaces, public buildings, or public transportation, and includes all recorded video collected by same.

3. Policy Statement:

- 3.1 Subject to this Policy, the Chief Administrative Officer or “designated alternate” has the sole authority to oversee and coordinate the use of any Video Surveillance System on Municipal Property.
- 3.2 The Municipality recognizes the need to balance an individual’s right to protection of privacy against the Municipality’s duty to promote a safe environment for all citizens, and to protect municipal property.
- 3.3 The Municipality shall only use a Video Surveillance System for the following purposes:

- detecting, deterring, and investigating unlawful activities, which may include possible contraventions of any federal or provincial law or municipal by-laws;
- to ensure public health and safety;
- to safely monitor System Facility Operations
- to prevent or deter unlawful acts and breaches of Municipality security; and
- to investigate and resolve personal injury, damage to assets, and other legal claims;
- to aid law enforcement investigations.

3.4 Any Video Surveillance System implemented under this Policy will be designed and operated in a manner that minimizes privacy intrusion and is reasonably necessary to achieve the lawful goals of the Municipality.

3.5 Personal Information obtained by the Municipality through its Video Surveillance System will be used for security, health and safety and law enforcement purposes only.

3.6 All Personal Information obtained through the Video Surveillance System is confidential and will only be viewed or released as per Sections 6.4, 6.5 & 6.6 of this Policy.

3.7 Authorized Personnel involved in the use of the Video Surveillance System will be appropriately trained in the responsible use of the Video Surveillance System and Freedom of Information and Protection of Privacy legislation.

3.8 Ownership of the video surveillance records shall remain with the Municipality; except in instances where video surveillance records are transferred into the custody of a law enforcement agency.

3.9 All existing uses of a Video Surveillance System will be brought into compliance with this Policy.

4. Responsibilities

4.1 Municipal Council is responsible for:

- Approval of this Policy and any subsequent amendments.

4.2. Chief Administrative Officer or alternate designate is responsible for:

- Overseeing, coordinating the use of any Video Surveillance System on Municipality Property and compliance with the policy.
- Overseeing consistent adherence to this Policy.
- The approval of the installation of Surveillance Equipment, including video cameras, on all Municipality owned and leased properties.
- Monitoring the effectiveness of the Policy and recommending changes to the Policy where appropriate.

4.3. Authorized Personnel/Employees are responsible for:

- Establishing and maintaining an internal reporting network relating to control mechanisms and advising the Chief Administrative Officer or alternate designate;
- Budgeting for the cost of the Video Surveillance System requirements;
- Ensuring Privacy Impact Assessments are conducted on new surveillance initiatives and on significant upgrades to existing surveillance systems;
- Informing the Chief Administrative Officer or alternate designate of:
 - Proposed changes to authorized video surveillance which may affect the security of the Municipality;
 - Proposed changes in internal reporting network relating to proposed installation of new Surveillance Equipment that may be affected by this Policy.
 - Any new legislation pertaining to the use of video surveillance that must be incorporated into this Policy.
 - Reviewing all proposed changes to existing any Video Surveillance System and newly proposed systems to ensure that they meet all the requirements of this Policy.

5. Employees are responsible for:

- Reviewing and complying with this Policy in performing their duties and functions related to the operation of a Video Surveillance System;
- Attending training relating to this Policy, when/where available.

6. Procedures:

6.1. Privacy Impact Assessment:

The following steps/factors must be considered before a Video Surveillance System is implemented:



6.1.1 A Privacy Impact Assessment shall be conducted on the effects that a proposed Video Surveillance System may have on personal privacy and the ways in which any adverse or disproportionate effects can be mitigated;

6.1.2 The use of the Video Surveillance System must be justified on the basis of verifiable, specific reports of incidents of crime or significant safety concerns;

6.1.3. All attempts will be made to the proposed design and operation of the Video Surveillance System to minimize privacy intrusion within public spaces and facilities.

6.2. Design and Installation and Acceptable Use of Surveillance Equipment:

6.2.1. Video surveillance currently recorded by the Municipality is stored directly to hard drives. Other methods of recording/storage are acceptable provided requirements of this Policy are met.

6.2.2. Given the open and public nature of the Municipality's facilities and the need to provide for the safety and security of the general public and employees who may be present at all hours of the day, a Video Surveillance System may operate any time in a 24-hour period.

6.2.3. Reception Equipment such as video cameras may be installed in identified public areas where surveillance is a necessary and viable detection or deterrence of an activity.

6.2.4. Reception Equipment shall not be positioned, internally or externally, to monitor areas outside a building, or to monitor other buildings, unless necessary to protect external assets or to ensure personal safety. Cameras should not be directed to look through the windows of adjacent buildings.

6.2.5. Reception Equipment shall not monitor areas where the public and employees have a reasonable expectation of privacy e.g. showers, restrooms, change-rooms. Consideration should be given to the use of surveillance being restricted to periods when there is a demonstrably higher likelihood of crime being committed and detected in the area under surveillance, such as when a building is ordinarily not occupied.

6.2.6. Reception Equipment should be in a controlled access area. Only Authorized Personnel shall have access to the Reception Equipment. Video monitors shall not be located in a position that enables public viewing.

6.3. Public Awareness of Cameras

6.3.1. The public/individuals must be notified, using clearly written signs prominently displayed at the entrance to and the perimeters of surveillance areas, so the public are aware that surveillance is or may be in operation before entering any area.

6.3.2. A QR code will be placed on notification signs to direct individuals to an online resource explaining the legal authority for the collection of Personal Information; the principal purpose(s) for which the Personal Information is intended to be used; and the title, business address, and telephone number of the individual who can answer questions about the collection.

6.3.3. In addition, the notice may also be provided via the Municipality's Website but will not be a substitute for signage in the areas captured by cameras.

6.4. Request to View Live or Recorded Information

6.4.1. Only Authorized Personnel are permitted to operate Surveillance Equipment and access live or recorded material. However, in exceptional circumstances, the Chief Administrative Officer may designate other individuals to operate surveillance equipment and access live or recorded material on behalf of the Municipality.

6.4.2. Notwithstanding section 6.4.1, all requests outside of the Municipality or law enforcement agencies to view live or recorded information must be made through a formal FOIPOP application to the Clerk and are subject to the approval of the Chief Administrative Officer or alternate designate. Where the permission is granted to view live or recorded information, that information must be viewed in the presence of Authorized Personnel.

6.4.3. The Municipality may, on its own initiative, in connection with reporting a suspected breach of any law, statute or ordinance disclose recordings to an applicable law enforcement agency, with the approval of the Chief Administrative Officer or alternate designate.

6.4.5. Access may be provided to live or recorded content from the Video Surveillance System in the event of an imminent or significant risk of harm to any individual, provided that such access would reasonably be expected to reduce, mitigate or investigate the risk of harm.

6.5 Personal Access to Information Request Process:



6.5.1. The Municipality recognizes that an individual whose Personal Information has been collected by a Video Surveillance System has a right to access his or her Personal Information under FOIPOP.

6.5.2. All inquiries related to or requests for video surveillance records shall be directed to the Clerk. A person requesting access shall follow the procedure for obtaining access as per Section 6 of FOIPOP or Section 466 of the MGA. Processing of the request will be in accordance with the provisions of FOIPOP and the MGA and take into consideration the protection of the privacy of third parties.

6.5.3. If access to a video surveillance record is required for the purpose of a law enforcement investigation, the requesting Officer must contact the Chief Administrative Officer or designate for approval and complete the Municipality's Request Form for record keeping purposes.

6.6 Custody, Control, of Video Records/Recordings

6.6.1. The Municipality retains custody and control of all original video surveillance Records. Video Records are subject to the access and privacy requirements of FOIPOP and the MGA, which includes but is not limited to the prohibition of all Municipal Staff from access or use of information from the Video Surveillance System, its components, files, or data base for personal reasons.

6.6.2. The Municipality strives to maintain video recordings for a minimum period of up to 30 days; however as new technologies become available, greater retention periods are achievable.

6.6.3 The Municipality's Video Surveillance System(s) continually record for a period of up to thirty (30) days depending on the recording device and technology, before recording over data. Video records shall not be retained on an external storage device unless in accordance with Section 6.7.3.

6.6.4. All storage devices that are not in use shall be stored securely in a locked receptacle located in a controlled access area. All storage devices that have been used shall be numbered and dated.

6.6.5. Access to storage devices shall only be by Authorized Personnel.

6.6.6. A logbook will be kept with regard to the use of each external storage device. The Authorized Personnel will take control of the external storage device in question and

secure it in a sealed envelope with the time and date of the seizure and initials of the Authorized Personnel on the seal of the envelope.

6.6.7 A log must be maintained for all requests for access to video surveillance records and retained for the period set out in the Municipal Records Management Policy. The log must include:

- i. the date and time range of the recorded video requested;
- ii. the date of the request;
- iii. the name of the requester;
- iv. the file / case number, where applicable; and
- v. the name of the agency (if applicable)

The logbook shall reflect all instances where:

6.6.7.1. Authorized Personnel or person(s) designated under Section 4.3 views a recording;

6.6.7.2. A request is made to view a video Record/recording;

6.6.7.3. The Chief Administrative Officer or alternate designate denies a request to view a video Record/recording and the reasons for the denial;

6.6.7.4. The Chief Administrative Officer or alternate designate permits an individual to view a recording (this will include the reasons the request was granted, who viewed the recording, when, and identify the Authorized Personnel who was present during the viewing).

6.6.8. Personal Information stored on an external storage device used for law enforcement, safety, or security investigation or for evidentiary purposes shall be transferred to an external hard drive and provided to the law enforcement agency, who assumes responsibility for the record(s) and the destruction of the record after its intended purpose has been fulfilled.

6.7 Unauthorized/Inadvertent Disclosure

6.7.1. A person who becomes aware of any unauthorized or inadvertent disclosure of a video Record in contravention of this Policy should immediately notify the Chief Administrative Officer or alternate designate.

6.7.2. After this disclosure is reported the Chief Administrative Officer or alternate designate shall confirm the existence of the disclosure.



6.7.3. Upon confirmation of the existence of the disclosure, the Chief Administrative Officer or alternate designate will make reasonable efforts to mitigate the extent of the disclosure, take all reasonable actions to recover the video record, review the adequacy of privacy protection with the existing Policy, and, where required, notify the affected parties whose personal information was inappropriately disclosed.

6.7.4. Intentional unauthorized disclosure, or disclosure caused by negligence, by employees of the Municipality may result in disciplinary action up to and including dismissal. Intentional unauthorized disclosure, or disclosure caused by negligence, by service providers to the Municipality, may result in termination of their contract.

6.8 Retention and Disposal of Video surveillance record:

6.8.1. The Municipality will take all reasonable efforts to ensure the security of Records in its control/custody and ensure their safe and secure disposal.

6.8.1.1. Storage devices must be securely disposed of by shredding, burning or magnetically erasing the information.

I, Deanna Snair, Municipal Clerk of the West Hants Regional Municipality, in the Province of Nova Scotia, do hereby certify that this is a true copy of the Policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **March 2025**.

Deanna Snair, Municipal Clerk



<i>Adoption</i>	
<i>Notice to Council:</i>	<i>Date: November 14, 2023</i>
<i>Approval:</i>	<i>Date: November 28, 2023</i>
<i>Description: Initial approval of Video Surveillance Policy RCOFN-014.00</i>	
<i>Amendment</i>	
<i>Notice to Council:</i>	<i>Date: March 11, 2025</i>
<i>Approval:</i>	<i>Date: March 25, 2025</i>
<i>Description: First Amendment of Video Surveillance Policy RCOFN-014.00 to remove barriers identified by RCMP when investigating incidents, provide additional clarity in areas within the policy, add a designate for when the Chief Administrative Officer may not be available and add an increased level of compliance within the policy.</i>	



Schedule 1

**Release of Record to Law Enforcement Agency
(Under Section 27(m) of the Freedom of Information and Protection of Privacy Act)**

To: West Hants Regional Municipality

I, _____, of the _____,
Print Name of Officer Print Name of Police Force Request a copy of the following
record(s):

Date:

Time Period: _____ to _____

Municipal Facility: _____

To aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result as duly noted on the attached warrant/production order. I confirm that the record will be destroyed by the RCMP after use by the agency.

Signature of Officer _____ Badge # _____ Date _____

Return completed original forms to the Clerk at the West Hants Regional Municipality, 76 Morison Drive PO Box 3000, Windsor, N.S. B0N 2T0

I _____ consent to; OR refuse; this release of record.

Chief Administrative Officer

Signature _____

Personal information is collected under the authority of the Municipal Government Act for the purpose of creating a record relating to the release of video surveillance record to a law enforcement agency. Questions about the collection of personal information may be addressed



West Hants

WEST HANTS REGIONAL MUNICIPALITY
VIDEO SURVEILLANCE POLICY

RCOFN-013.00

to the Chief Administrative Officer of the West Hants Regional Municipality, 76 Morison Drive PO
Box 3000, Windsor, N.S. B0N 2T0



Town of Kentville

Staff Report to Council Advisory Committee

Department of Engineering and Public Works

June 8, 2026

Programs and Operations

- **Kentville Water Commission:** In a conscious effort to reduce water consumption, we have replaced two of our three water sample stations that had been running continuously for some time with a newer generation of samplers that are easier to winterize and less prone to failure. The third sample station is purchased and will be replaced in the next few weeks. Sticking with the water conservation theme, as I reported last month, we have installed our first automatic flushing station in an area prone to water clarity issues and are seeing both improved water quality, reduced operator call-outs and reduced water consumption used in manual hydrant flushing.
- **Sanitary Sewer Area Service:** There were no operational issues in May for our own Sanitary Sewer Area Service. We are working with our SCADA contractor / consultant to upgrade our system, which monitors and controls our water and sewer systems.
- **Traffic Authority:** Spring roadworks, including line painting, patch paving, full street paving, and other major capital works projects, are scheduled to continue from now through late fall. Our department will provide updates on project start dates through our website and social media channels; however, motorists should anticipate travel disruptions throughout the busy construction season.

Projects

- **AT Project:** The project has been awarded within the approved budget. The scope includes replacing the sidewalk on the north side, starting at the crosswalk near the post office and extending westward to Butt's Auto, with the goal of improving accessibility and pedestrian safety.

- **Provincial Paving Program:** Our department will proceed with the repaving of key roadway sections following the successful award of the project under budget, which has allowed for additional scope to be included. The work will include West Park Street from Shylah Drive to just west of Acadia Drive, Aberdeen Street from Webster Street to Main Street to complete the downtown loop, and additional sections between Glenview Drive and the Webster/Main Street intersection, subject to available budget. Our department was successful in securing \$500,000 in Provincial funding, matched to a total investment of \$1 million for main route street repaving. As this funding stream is limited to designated Provincial trunk routes, West Park Street (Highway No. 1) was prioritized based on condition assessments identifying it as one of the worst continuous sections of roadway. The project was tendered with a closing date of May 20th and construction is anticipated for June and July, and the contract has now been awarded within budget including the additional sections incorporated into the scope.
- **Patch Paving Program:** we are proceeding with the planned patching program beginning on the main route. This work will continue throughout the summer across various areas of the Town, and additional locations will be added to the schedule as required as we progress, with ongoing adjustments made until the full available budget has been allocated.
- **Miller Ave Infrastructure Renewal:** Design for the project has been completed and the tender has been issued, with a closing date of June 23, 2026. The scope of work includes full replacement of underground infrastructure, including watermain, sewer mains, and storm mains, as well as new curbs, new pavement, and improved accessibility at the Park Street intersection. This work will enhance overall infrastructure performance and improve stormwater management within the project area.
- **Donald E. Hiltz Connector Road:** Our department is currently working with the consultant on the Phase 2 design. In the interim, the contractor is completing remaining partial works from last year related to the water system.

Public Engagement

- Frequent phone calls and site visits.
- Appointments are now being accepted for in person meetings.
- Letter & email correspondence – As required.

Meetings and Events

- Bi-weekly Senior Leadership meetings
- Monthly PW & KWC Toolbox Meeting
- Monthly JOHSC meeting

- May 11th – Council Advisory Committee Meeting
- May 28th – Regional Sewer Technical Sub-Committee Meeting

Respectfully Submitted,

David Bell
Director of Engineering and Public Works



TOWN OF KENTVILLE
Staff Report to Council Advisory Committee
For the Month of May 31, 2026
DEPARTMENT- FINANCE

Operations

- The Finance team, with support from senior leadership, continues to complete year-end procedures and accounting activities in preparation for the 2025–2026 financial audit, commencing June 3, 2026.
- The Finance and Audit Committee met on May 6, welcoming new members and reviewing the audit plan presented by the Town’s auditor, Kent & Duffett. The Committee received an action plan and status update on the 2024–2025 management letter, with no matters requiring improvement identified. Discussion focused on new PSAB guidelines to be applied in 2027–2028, and the auditor outlined the proposed timeline for audit preparations.
- Finance, and Engineering and Public Works participated in the Nova Scotia Regulatory and Appeals Board rate hearing on April 7. The proposed water rates remain under review pending a final decision.
- Required reporting to Municipal Affairs on capital project cash flow, expected spending, and actual expenditures as of March 31, 2026, for fiscal 2025–2026 was completed within the prescribed deadlines.

Financial

- The unaudited year-end results for March 31, 2026, are being finalized. Preliminary results indicate a surplus above forecast, with the projected surplus notably higher than anticipated. A detailed review will be presented to Committee in July. Subject to final adjustments, the surplus will be transferred to operating reserves.
- As of June 2, 2026, year-to-date capital expenditures totaled \$ 417,158, representing 4% of the approved 2026–2027 capital budget. A detailed breakdown by program is provided in Appendix A: Capital Investment Plan Update.
- Debt was secured through the spring issue at all-in costs between 3.594% (5-year) and 4.738% (25-year), well below the 7% interest rate cap approved by Council on April 27, 2026.
- Interim tax bills for 2026–2027, totalling \$7,906,191, were issued on April 27 and were due May 29, 2026. As Council established the tax rates prior to billing, taxes were calculated using the 2026–2027 rates and 2026 assessment values in accordance with policy. As of May 29, 2026, 13.4% remained outstanding.

Outstanding Tax Receivable Aging			
2026-2027	2025-2026	2024-2025	Prior Years
\$ 1,056,661	\$ 103,102	\$ 15,408	\$ 7,150

Respectfully submitted,

Wanda Matthews, CPA, CA
[Director of Finance](#)



**TOWN OF KENTVILLE
CAPITAL INVESTMENT PLAN
2025-2026
YTD June 2, 2026**

PROJECT BY DEPARTMENT/AREA	BUDGET	FORECAST	VARIANCE	YTD ACTUAL	% Expended
Active Transportation	1,125,000	1,125,000	-	5,549	0.5%
General Administration	2,780,000	2,780,000	-	4,988	0.2%
Protective Services	176,600	176,600	-	55,186	31.2%
Transportation ^{Note 1}	3,491,600	3,491,600	-	252,285	7.2%
Expansion- Donald Hiltz Connector	2,000,000	2,000,000	-	6,049	0.3%
Planning and Development	32,700	32,700	-	-	-
Parks and Recreation ^{Note 2}	725,000	725,000	-	93,102	12.8%
Total	\$ 10,330,900	\$ 10,330,900	\$ -	\$ 417,158	4.0%

Note 1 comprised of:

Equipment	660,000	660,000	-	250,628	38.0%
Buildings	44,400	44,400	-	-	-
Streets & Lights	1,355,000	1,355,000	-	-	-
Sidewalks	-	-	-	1,658	-
Flood Mitigation	937,200	937,200	-	-	-
Storm Sewer	495,000	495,000	-	-	-
	\$ 3,491,600	\$ 3,491,600	\$ -	\$ 252,285	7.2%

Note 2 comprised of:

Parks & Playgrounds	340,000	340,000	-	12,930	3.8%
Sport Facilities	160,000	160,000	-	-	-
Buildings and Equipment	225,000	225,000	-	80,172	35.6%
	\$ 725,000	\$ 725,000	\$ -	\$ 93,102	12.8%



Town of Kentville

Staff Report to Council Advisory Committee

Planning & Development

May 2026

LOOKING FORWARD

Planning & Development is currently hiring both a Business Development Coordinator and a Planner (one-year term). Sahar Ghasemshahi will begin her one-year appointment on June 8 and will focus on advancing the Municipal Planning Strategy and Land Use Bylaw Review. Recruitment for the Business Development Coordinator position is nearing completion, with the successful candidate expected to begin by the end of June.

The Planning Advisory Committee continues to support the Plan Review process through its ongoing review of drinking water protection and infrastructure planning. This work will inform the next two Statements of Provincial Interest (SPIs) under consideration. Staff anticipate bringing the full suite of SPI-related materials forward for public engagement in Fall 2026.

MONTH IN REVIEW

Development Applications

- **Development Permits:** Nine (9) development permits were issued in the month of May with an estimated construction value of \$309,655.
- **Site Plan Approval Applications:** No site plan approval applications were received in April.
- **Subdivision Applications:** No subdivision applications were received in April.

Planning Applications and Reports

Ongoing

- An application was received in April to rezone 172 Main Street (PID 55290803) from One- and Two-Unit Dwelling (R2) Zone to Medium Density Residential (R3) Zone. The application was given First Reading on May 25, 2026, and a Public Hearing is scheduled for June 22, 2026.
- Staff have prepared amendments to the Town’s planning documents to clarify how diverse forms of housing—such as supportive, transitional, and emergency housing—are addressed within Kentville’s planning framework. First Reading was given to the proposed amendments on December 15, 2025. Following legal review, substantive revisions were made to make “emergency shelter” an institutional use to be considered through a development agreement. Supportive and transitional housing were combined under a single “program-based housing” definition, permitted in the Medium Density Residential (R3) Zone, subject to density controls. A Public Participation Meeting was held on May 21, 2026. The ‘What We Heard Report’ will be presented to the Planning Advisory Committee for further review.
- A development agreement application was received from VIDA Living to facilitate the Kentville portion of a 56-unit low/medium density residential development located at Hartlen Court/Oakdene Avenue (PIDs 55034300) on December 12, 2024. Staff and the applicant are working towards advancing the application.

Bylaw Amendments

- A new Street Encroachment Bylaw was reviewed by the IDEA Committee, and their recommendations have been included in the staff report for the Council Advisory Committee. The purpose of the Street Encroachment By-law is to establish a consistent framework for permitting and regulating structures and activities that extend into municipal rights-of-way. The By-law balances opportunities for property improvements and streetscape enhancements with the Town's responsibility to maintain safe, accessible, and functional public spaces.

Community and Economic Development

- Apple Blossom Festival was a success aside from the cold weather. Kentville hosted the usual signature events, and a few new events were also added. Thanks to all departments who supported festival delivery including Parks and Recreation, Public Works, and Kentville Police Service. Next in the events line-up for Kentville is Valley Pride's Come Together Event on June 20th followed by the DHA Motorcycle event on June 27 and 28th.
- The VIC is up and running for another season, the gift shop has been expanded, and our visitor numbers are already strong this season. A few new things are in the works including the addition of a debit machine and security camera.

Climate Risk Coordination

- Climate Risk Assessment, Coordination & Stakeholder Engagement: Continued development of the Climate Risk Registry, participated in Climate Change Working Group meetings with Clean Foundation and provincial partners, and coordinated regularly with municipal staff and project team members to align project activities, engagement efforts, and adaptation planning objectives.
- Engagement, Mapping & Analysis Preparation: Advanced community engagement planning through the development of surveys, participatory mapping, workshops, and public communications; coordinated mapping and data collection tools, established analysis workflows, and developed processes to integrate qualitative storytelling with survey and mapping data to support the Climate Risk Assessment and Adaptation Plan.

Respectfully Submitted,

Darren Shupe, Director of Planning and Development, on behalf of;

Kirsten Duncan
Development Officer,
GIS/Planning Technician

Lindsay Young
Community & Economic
Development Officer

Ben Croll
Development Officer,
Planning Coordinator

Alice Jebiwott
Climate Action Coordinator

Activity Report

Planning & Development



	May 2026		May 2025	
<i>PERMITS</i>	Month Total	Year-to-Date Total	Month Total	Year-to-Date Total
Number of Permits	9	34	10	37
Total Building Value	\$309,655.00	\$5,731,185.00	\$888,100.00	\$15,798,970.34
Permit Revenue	\$319.94	\$6,433.19	\$606.47	\$15,067.61

Permit Report

Planning & Development



May 2026

Permit #:	4568	Permit Date:	5/5/2026
Value of Construction:	\$10,000.00	Fee:	\$41.12
Reconstruct Front Veranda (8.2' x 23.5')			

Permit #:	4566	Permit Date:	5/6/2026
Value of Construction:	\$31,005.00	Fee:	\$50.00
Installation of 26 Rooftop Solar Panels			

Permit #:	4569	Permit Date:	5/6/2026
Value of Construction:	\$170,000.00	Fee:	\$30.00
Interior and Exterior Demolition			

Permit #:	4570	Permit Date:	5/6/2026
Value of Construction:	\$200.00	Fee:	\$30.00
Demolition of rear shed			

Permit #:	4573	Permit Date:	5/15/2026
Value of Construction:	\$6,000.00	Fee:	\$33.20
Add half-bath and laundry on main level, add full bath on 2nd level, and remove existing laundry in basement			

Permit #:	4571	Permit Date:	5/15/2026
Value of Construction:	\$4,000.00	Fee:	\$50.00
Above-Ground Pool			

Permit #:	4572	Permit Date:	5/15/2026
Value of Construction:	\$8,000.00	Fee:	\$33.46
Detached Deck (18' x 17') as part of the pool enclosure			

St:
Pa

Permit #:	4548	Permit Date:	5/28/2026
Value of Construction:	\$450.00	Fee:	\$15.00
Install Exterior Wall Sign (36" x 16")			

Permit #:	4567	Permit Date:	5/28/2026
Value of Construction:	\$80,000.00	Fee:	\$37.16
Addition (15' x 26') to existing attached garage			



Town of Kentville
Staff Report to Council Advisory Committee
For the Month of May 2026
Department of Parks and Recreation
Presented on June 8, 2026

Administration and Operations

- Staffing Updates:
 - Active Living Coordinator Position has been filled
 - Jordan Hebb has accepted the role and will begin June 22. Jordan was a previous Municipal Physical Activity Lead from another community.
 - Lucas Vanderaa will be leaving the Town of Kentville on July 3 from the HWA Project Facilitator role
- Splash pad to open first week of June
- All fields have opened for the season
 - (6) soccer fields
 - (5) baseball/softball fields
- Grants
 - Staff secured \$20,000 from the Recreation Facility Development Grant through the Province of Nova Scotia
 - This funding is to go towards the Rec Centre Flooring project
 - Staff secured \$40,000 from the Rink Revitalization fund through the Province of Nova Scotia
 - This funding is for the sinkhole at the arena
 - Staff were unsuccessful for the Access-Ability Grant through the Province of Nova Scotia
 - This funding was to go to the accessibility upgrades of the Recreation Hub
 - Active Communities Fund Update - CCTH
 - Funding through the Active Communities Fund has been reduced from a maximum of \$25,000 to \$15,000. In previous years, the Town was eligible to apply for funding to support free public programming such as swims and skates. However, the Province no longer supports funding for activities when the municipality owns the facility.
 - For the current funding cycle, the Department submitted a request totaling \$50,833 to support several initiatives, including free skates, free swims, an indoor walking program, the UP program, and an

equipment loan program project. Historically, these projects would have been eligible for a 50/50 cost-sharing arrangement.

- Activating Champions:
 - This program launched for two months and seven proposals have been received. Staff started meeting with champions to talk about program development. Ideas include creative writing, photography, martial arts, girls youth self-defense, community clean ups, etc.
 - Some programs will start this summer, others in the fall. Stay tuned to Kentville.ca/programs

Facilities and Operations

- Security cameras were installed at the Recreation Hub
- Beautification will be up in the month of June

Programs and Outreach

- Summer program registration has opened, and most programs are showing positive registration numbers
- Staff hosted the first engagement pop up event. These engagement sessions will support our Recreation Plan and provide valuable feedback about the future of recreation in Kentville

May Events:

- Apple Blossom – the Town of Kentville Float was awarded the Directors Choice Award. A special thank you to Jordann Murray and support from Eugene Forbes on making the float represent the history of Kentville

June and July 1 Events:

Environment Day- June 6 | 10:00 AM – 3:00 PM

Environment Day is a community celebration focused on environmental education, sustainability, stewardship, and climate action. Through interactive experiences, guided learning opportunities, community partnerships, and family-friendly activities, residents will be encouraged to connect with nature and explore ways they can support a healthier environment.

The event will be operated across two connected activity hubs:

- **Miners Marsh** – join local experts for topic specific guided tours of the Marsh – hosted by Blomidon Naturalists, Ducks Unlimited and NS Invasive Species Council – topics include birding, critter dipping, native plants and trees and invasive species.
- **Oakdene Park** – The Kentville Rotary is hosting a community education showcase with various vendors who works with environmental issues in the community, there will also be children’s activities and a free BBQ

Spike Family Fun Run – June 27th

The day is going to offer 3km, 5km and 10km walk or run distances. The Kentville recreation department will be hosting FREE children’s activities throughout the event – ages 4 – 12. Parents/guardians can drop off their children and then hit the trails.

Canada Day Tailgate Party – July 1st

1:00-4:00pm

Free admission to all, in support of our Kentville Wildcats. Festivities include multiple bouncy castles, and lots of cake for everyone.

Pool Opening Event – free public swim

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Craig Langille', written in a cursive style.

Craig Langille
Director of Parks and Recreation

Title: Policy 112 - Whistleblowers

Meeting Date: June 8, 2026

Department: Administration

RECOMMENDATION

That Council approve Policy 112 - Whistleblowers

SUMMARY

Town of Kentville currently has one general policy related to accepting complaints or allegations from its staff with regarding to alleged financial wrongdoing or fraud, in addition to other issues. During our current audit process, the Municipal Auditor and members of the Town's Finance and Audit Committee discussed the benefits of having a whistleblowers policy. Staff have prepared this draft policy as a result of those discussions.

LEGISLATION

Section 47 (1) of the *Municipal Government Act* states that council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

BACKGROUND

There have been numerous complaints and investigations in the last two decades across Nova Scotia related to financial mismanagement or fraud in local governments. Often the result of these investigations is that there were no policies or processes in place to prevent such things from happening in those municipalities.

As a preventative measure and to reassure the public that controls are in place to mitigate such financial risks, the Town's Finance and Audit Committee has recommended that we should have a whistleblower policy as another level of financial control to go along with current financial controls already in place.

The policy is to protect an employee from reprisals should they come forward with an allegation of material financial wrongdoing or fraud regarding another employee of the Town. And most importantly, the proposed policy provides an application process and acknowledgement of responsibility for taking such allegations seriously and to conduct independent investigations in a timely

manner, and to implement future recommendations to improve financial controls when noted.

IMPACT ON STRATEGIC PRIORITIES

One of the key strategic priorities of Kentville is to place more focus on public accountability. One such priority is to impart more financial accountability by establishing a more robust and enhanced Finance and Audit Committee to oversee more of the Town's financial operations and internal controls with increased public involvement. This policy direction comes as a result of this more robust committee structure and responsibilities.

IMPORTANT DATES OR BENCHMARKS

Upon approval of the proposed policy, the policy will be shared with all staff with a note about its importance and each staff persons responsibility in its implementation.

POLICY IMPLICATIONS

Clear and effective policies allow for better decision making, saving time and resources, and can lead to more efficient decision making and timely decisions with fewer delays. This policy will increase the town's financial accountability controls and processes.

BUDGET IMPLICATIONS

There are no financial implications with the proposed policy unless an application comes forward which will require the hiring of an independent investigator. That cost will depend on the depth of the investigation.

COMMUNICATION IMPLICATIONS

Staff will ensure this policy is placed on the Town's website and available for ease of access for all staff to use.

Respectfully submitted,

Chris McNeill
Chief Administrative Officer



Policy 112 WHISTLEBLOWERS

1. Policy Purpose

The purpose of this policy is to provide an anonymous process for members of staff to report allegations of financial waste or wrongdoing within Town of Kentville operations, while providing protections to the complainant where there is fear of reprisal with using normal channels of reporting related to an operational concern.

2. Policy Goal

The goal of this policy is to highlight the importance of responsible spending and management of public funds and to provide all employees with a clear and safe process to report in good faith any alleged financial waste or wrongdoing of Town of Kentville funds.

3. Definitions

- a. "Council" means Council of the Town of Kentville.
- b. "Employee" means those persons employed with Town of Kentville, whose income is subject to standard deductions for income tax and Canada pension by the Town.
- c. "Fraud" means the use of deception with the intent of obtaining an advantage, avoiding an obligation, or causing a loss to another party, including the Town.
- d. "Good Faith" applies to a Town employee that is giving a full and complete account of information that they are personally aware of related to an alleged financial waste or wrongdoing without withholding any relevant information or details, and they genuinely believe that the financial waste or wrongdoing by another employee of the Town has occurred or is occurring.
- e. "Procedural Fairness" requires all persons involved with an allegation following processes that are consistent, transparent, without bias or conflict of interest, while ensuring all known available and necessary information is gathered and reviewed prior to any determinations being

made, including an opportunity for impacted and involved persons to respond to any allegations.

- f. "Retaliation" means any adverse action, or threat of adverse action, by a Town employee in response to another Town employee initiating or participating in any complaint brought forward under this policy.
- g. "Waste" shall mean material financial mismanagement or financial waste or fraud, that is done intentionally, willfully, and in a negligent manner.
- h. "Whistleblower" is a Town employee who has personal knowledge of, or personal belief that the actions of another Town employee involves financial waste or financial wrongdoing and submits such allegation(s) through the identified complaint process noted within this policy.
- i. "Wrongdoing" means any illegal, harmful, or discriminatory conduct including but not limited to crime or suspicion of crime alleged in good faith; discrimination, harassment, bullying, fraud and theft; wrongful or unauthorized acquisition, use, solicitation, or disposal of Town assets which may include money, information, data, materials, labour or equipment; falsification, alteration, or manipulation of Town documents; violation of public trust, danger to workplace or public health and safety; misuse of position or data for personal gain; forgery, alteration of financial documents, mishandling of funds, or fraudulent expense claims.
- j. "Town" shall mean Town of Kentville.

4. Legislation

Section 47 (1) of the *Municipal Government Act* states that council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

5. Responsibilities of Employees

- a. Every employee of the Town is responsible for their own actions and those of their direct reports as it relates to ensuring they are aware of their responsibilities for the responsible use of public funds and to never use such funds or their position to unfairly gain an advantage, gift, influence, or other privilege not afforded the general public, in the exercise of their job functions.
- b. Employees with responsibility for the oversight of expenses for other employees must at all times ensure that expense claims and invoices for which they are signing, are authorized by annual budget allocations or other legal authorizations.

6. Reporting of Alleged Financial Waste or Wrongdoing

- a. Any employee of the Town may file an application of alleged financial waste, wrongdoing, or fraud when they believe such an event(s) have taken place by another employee of the Town within 60 days of becoming aware of such.
- b. Any employee making such an allegation must do so in good faith and with full personal knowledge of the situation or event and not make an allegation based on the words or accusations of other persons.
- c. Any person who feels that material financial waste or wrongdoing has taken place by another employee shall first address the matter through normal organizational processes by reporting it to their supervisor or Chief Administrative Officer whenever possible.
- d. A whistleblower who brings forth an allegation of financial waste, wrongdoing, or fraud who is not comfortable bringing forth such concern through normal organizational processes, shall be protected by the Town from reprisal and retaliation so long as the allegation is made in good faith.
- e. All investigations for alleged material financial waste, wrongdoing, or fraud will be carried out under generally accepted practices of procedural fairness and the name of the applicant shall be confidential so far as legally and logistically possible.

7. Investigation Process

- a. When an application is received alleging material financial waste, wrongdoing, or fraud, the recipient of the application shall forward it to the Chief Administrative Officer who shall engage the services of an external independent investigator to carry out the investigation once it has been determined that the application is bona fide and in good faith.
- b. If an allegation is against the Chief Administrative Officer, the application shall be provided to the Mayor who shall then engage an external independent investigator.
- c. Any complaint made against an officer of Kentville Police Service that is disciplinary in nature must follow the *Nova Scotia Police Act*.
- d. Any complaint made that notes a potential breach of a collective agreement must be addressed as a grievance through the applicable collective agreement and not this policy.

- e. If during an investigation process, the investigator determines that financial wrongdoing or fraud has occurred, the investigator shall be responsible for making a recommendation(s) for changes to Town policies or processes to prevent further financial wrongdoing or fraud from occurring.

8. Application

- a. Any employee wishing to make application of alleged material financial waste, wrongdoing, or fraud, must do so in writing on the prescribed application form forming part of this policy and submit it to their Department Director, Chief Administrative Officer, or Mayor as applicable.
- b. Once an application is received, the applicant will be notified within 20 business days whether it has been accepted as bona fide and forwarded to an independent investigator, or if it has been determined to not meet the standards of this policy and will not be proceeding any further.
- c. Once an application has been received by the Town, it cannot be withdrawn.

9. Allegations of Criminal Behaviour

If an employee believes that an action of another employee is criminal in nature, they should immediately file a report with Kentville Police Service, and not through this policy. If such an application is received through this policy, the Town has a legal obligation to immediately forward the complaint to police.

10. Responsibilities of Employer

- a. The Town acknowledges that when complaints of financial waste or wrongdoing are brought forward, that regardless of the outcome of any investigation, it will take steps to clarify policies and procedures related to such, implement new or stronger financial controls, and / or provide more education and training to staff related to their fiduciary responsibility to the Town.
- b. Council acknowledges the important and critical function that whistleblowers can play in a fiscally responsible local government and commit to ensuring that a budget allocation within its legal services budget is provided to address any complaints that come forward.

c. That all concerns raised by employees related to alleged material financial waste or wrongdoing will be treated fairly and properly.

11. Confidentiality

Any employee who provides information or evidence to an investigator related to an allegation under this policy, must keep that information confidential unless required to release it according to law.

12. Repeal

Policy G38, Fraud and Other Similar Irregularities Policy, approved on the 17th day of January 2017, is hereby repealed.

Seven Day Notice of Policy: June 8, 2026

Council Approval:

In Effect:

This is to certify that Policy 112, Whistleblowers, was approved by Town Council on the th day of , 2026

Mayor

Clerk

Schedule "A"

DISCLOSURE OF FINANCIAL WRONGDOING APPLICATION

Applicants Name: _____

Applicant's Job Title: _____

Kentville Department: _____

Applicants Mailing Address: _____

Applicants Phone (w): _____ (c) _____

Applicants E-mail: _____

How do you wish to be contacted regarding your application follow-up:

E-mail

Telephone

Mail

TYPE OF WRONGDOING

Which of the below categories most closely applies to the Financial Wrongdoing you are reporting?

Fraud

Financial Wrongdoing

A financial act or omission that creates a substantial and specific danger to life, health, or safety of individuals

Gross mismanagement of public funds or a public asset

Policing Matter

CUPE Collective Agreement Matter

Other (please explain) _____

Please provide a description of the financial wrongdoing, including any details or facts that support your application. Please attach supporting documentation where appropriate.

Is your application related to a specific location or place? If so, please explain.

Please share the date or dates when the alleged wrongdoing took place, and whether or not it is ongoing?

Have you reported this alleged wrongdoing to your supervisor or another person within Town of Kentville prior to submitting this application? If yes, please indicate who you reported it to and include or describe the response(s) you received. Attach any relevant information to support this review.

To the best of your knowledge, has your alleged wrongdoing already been raised or submitted previously by yourself or another employee for the same issue? If so, please explain why it is being re-submitted.

Please provide the relevant employee information for the employee that you allege has committed the wrongdoing?

Name: _____

Job Title: _____

Kentville Department: _____

Phone (w): _____ (c) _____

E-mail: _____

Is there any additional information related to this alleged wrongdoing or fraud that you wish to provide to the Town?

I acknowledge that I have read and understand Policy 112, Whistleblowers, and submit this application believing that all the information provided is true and accurate to the best of my knowledge. Knowingly making a false or misleading statement is an offense under this policy.

Applicants Signature

Date

OFFICE USE ONLY

Date received by Supervisor: _____

Date Received by CAO: _____

Date of Applicant Response #1: _____

Date Forwarded to Investigator (where applicable): _____

Date of Applicant Response #2: _____



TOWN OF KENTVILLE POLICY STATEMENT G38 FRAUD AND OTHER SIMILAR IRREGULARITIES

1.0 PURPOSE

The Town of Kentville is committed to high standards of ethics, conduct and fiduciary responsibility. As stewards of public funds all staff must have, and be seen to have, high standards of honesty, propriety and personal integrity.

The purpose of this document is to create a uniform policy and provide direction to and a standard for protocol regarding the reporting of any documentary or other activity that might be perceived as fraudulent or similarly irregular activities within the organization of the Town of Kentville.

2.0 DEFINITIONS

Fraud

Fraud includes a deliberate and /or unlawful deception, misrepresentation or concealment of facts practiced to secure advantage, benefit and/or to cause loss to another.

Irregularity

Irregularity includes an activity, actual or planned, that deliberately disregards Town of Kentville regulations or procedures.

Fraud, and other irregularities, includes but is not limited to:

- Forgery or alteration of cheques, drafts, promissory notes and securities
- Any misappropriation of funds, securities, supplies or any other asset
- Any irregularity in the handling or reporting of money transactions
- Authorizing or receiving remuneration for time not worked
- Authorizing or receiving payment for goods or services not received or performed
- Misappropriation of furniture, fixtures, equipment or other assets of the Town.
- Seeking or accepting anything (including a promise of future benefit) of material value from vendors, consultants or contractors doing business with the Town.
- Misuse, abuse or unauthorized use of Town property, equipment, materials or records.
- Any computer-related activity involving the alteration, destruction, forgery, substitution or manipulation of programs or data for malicious and/or fraudulent purposes or misappropriation of Town-owned software for use in the perpetration of fraud or intent to personally benefit or for any reason detrimental to the Town.
- Any claim for reimbursement of expenses that have not been made for the exclusive benefit of the Town

- Any similar or related activity

3.0 SCOPE

The Town of Kentville is committed to protecting its revenue, property, information and other assets from any attempt either by members of the public, contractors, subcontractors, agents, intermediaries, its own employees, or any organization, corporation or person, to gain by deceit or unlawful means, financial or other benefits.

This policy sets out specific guidelines and responsibilities regarding appropriate actions that must be followed for the investigation of such matters.

4.0 PROCEDURES

This policy applies to Council Members, all employees of the Town of Kentville and to the employees of the local Boards, Agencies and Commissions over which the Council has authority to require general policies be followed.

It is the Town's intent to fully investigate any suspected acts of fraud, misappropriation or other irregularity. An objective and impartial investigation will be conducted of any person whom the Town has reasonable cause to believe has engaged in such activity, regardless of the position, title, length of service or relationship with the Town of such person.

Each Director is responsible for instituting and maintaining a system of internal control to provide reasonable assurance for the prevention and detection of fraud, misappropriations and other irregularities. Management should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for indications of such conduct.

The **Chief Administration Officer (CAO)**, in consultation with the Town's solicitor, has the primary responsibility for the investigation of all activity as defined in this policy.

The **CAO** will **notify** the **Chair of the Audit Committee** of a reported allegation of fraudulent or irregular conduct upon the commencement of the investigation, to the extent practicable. Throughout the investigation, this official should be informed of pertinent investigative findings.

In all circumstances, where there are reasonable grounds to indicate that a fraud may have occurred, the CAO, subject to the advice of the Town's solicitor, will contact the Kentville Police Service.

Upon conclusion of the investigation, the results will be reported to the Chair of the Audit Committee and the Director.

The Town will pursue every reasonable effort, including court-ordered restitution, to obtain recovery of the Town losses from the offender, or other appropriate source(s).

All Employees

Town of Kentville, Policy G38: Fraud and Other Similar Irregularities

Any employee who has knowledge of an occurrence of irregular conduct, or has reason to suspect that a fraud has occurred, shall immediately notify his/her supervisor. If the employee has reason to believe that the employee's supervisor may be involved, the employee shall immediately notify his/her Director and/or the CAO.

The employee shall not discuss the matter with anyone other than his/her supervisor, his Director, the CAO or the Kentville Police Service. Employees who knowingly make false allegations will be subject to discipline up to and including dismissal.

Supervisors

Upon notification from an employee of suspected fraud, or if the supervisor independently has reason to suspect that a fraud has occurred, the supervisor shall immediately notify the department's Director and the CAO. The supervisor shall not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the person to whom the fraud was reported, the CAO and the police.

Directors

If a Director receives notification from an employee or supervisor of suspected fraud, or if the Director has reason to suspect that a fraud has occurred, the Director shall immediately contact the CAO. The Director shall not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the CAO and the police.

CAO

Upon notification or discovery of a suspected fraud, the CAO will promptly investigate the allegation. In all circumstances where, in the opinion of the CAO after consultation with the Town solicitor, there appears to be reasonable grounds for believing that a fraud has taken place, the CAO will contact the Kentville Police Service.

Chair of Audit Committee

Should the Chief Administrative Officer be suspected of fraud, the employee/supervisor/Director shall notify the Chair of the Audit Committee, who will promptly investigate the allegation. In all circumstances where there appears, in the opinion of the Chair of the Audit Committee after consultation with the Town's solicitor, to be reasonable grounds for believing that a fraud has been committed by the CAO, the Chair of the Audit Committee will contact the Kentville Police Service.

Police Act Supersedes

Notwithstanding any other provision of this policy, in the event that an employee suspected of fraud is a member of the Kentville Police Service, the Police Act, 2004, c.31, as amended (the "Act"), shall govern and have paramourcy over this policy. Any suspicion of an employee who is a member of the Kentville Police Service shall be reported to the persons designated to receive such information under the Act and/or its regulations.

Contacts/Protocols

After an initial review and determination that the alleged fraud warrants additional investigation, the CAO will notify the Town's solicitor and the Chair of the Audit

Committee of the allegations. The CAO shall coordinate the investigation with the appropriate law enforcement officials. If specialist skills are required, external specialists shall be consulted/retained.

Security of Evidence

Once an alleged fraud is reported, the CAO, in consultation with the Town's solicitor, shall take immediate action to prevent the theft, alteration or destruction of relevant records. Such actions include, but are not necessarily limited to, removing the records and placing them in a secure location, limiting access to the location where the records currently exist, and preventing such individuals as they may in their discretions identify, from having access to the records. The records must be adequately secured until the CAO obtains the records to begin the audit investigation, and thereafter, if necessary. Continuity of possession of the records shall be maintained to protect the integrity of the investigation.

Confidentiality

All participants in such an investigation shall keep the details and results of the investigation confidential. However, the CAO, in consultation with the Chief of Police, may disclose particulars of the investigation with potential witnesses if such disclosure would further the investigation.

Personnel Actions

If an allegation of fraud is, in the opinion of the CAO, substantiated by the investigation, then disciplinary action, up to and including dismissal, shall be taken by the appropriate level of management, in consultation with the CAO, the Town's solicitor and in conformance with the Town's Personnel Policies and Procedures.

Unless exceptional circumstances exist, a person under investigation for fraud or other default under this Policy shall be given notice in writing of the essential particulars of the allegations following the conclusion of the audit investigation and prior to final disciplinary action being taken. Where notice is given, the person against whom allegations are being made may submit a written explanation to the CAO no later than seven calendar days after the notice is received and may, within 7 days thereafter or at such other convenient time as the CAO may designate, meet with the CAO and others at his request to afford the person the right to fully explain his/her conduct. This requirement is subject to any collective agreement provisions respecting the rights of employees during disciplinary proceedings. If the situation requires, the person charged with the alleged fraud will be removed from his/her position in the workplace until the matter has reached a resolution.

Whistle Blower Protection

No employer or person acting on behalf of the employer shall:

- Dismiss or threaten to dismiss an employee
- Discipline or suspend or threaten to discipline or suspend and employee
- Impose any penalty upon an employee or
- Intimidate or coerce an employee

by virtue of the fact that the employee has acted in accordance with this policy in reporting any infraction hereof. Violation of this section will result in discipline up to and including dismissal.

Media Issues

Any staff person or elected official contacted by the media with respect to an audit investigation shall not comment other than to refer the media to the CAO and the Chair of the Audit Committee. The alleged fraud or audit investigation shall not be discussed with the media by any person other than the CAO.

Documentation

At the conclusion of the investigation, the CAO will document the results in a confidential memorandum to the Chair of the Audit Committee, with a copy to the Director. If the report concludes that the allegations are founded in fact, the report will be forwarded to the Kentville Police Service.

The CAO will also be required to make recommendations to the appropriate Director designed to lead to the institution of measures to prevent future similar occurrences.

Completion of Investigation

Upon completion of the investigation, including all legal and personnel actions, any records, documents and other evidentiary material will be returned by the CAO to the appropriate department.

Reporting to External Auditors

The CAO, through the Chief Financial Officer/Director of Finance, will report to the external auditors of the Town all information relating to the investigation that may be required for financial reporting.

Annual Report

As directed by Council, the CAO will report to Council, on an annual basis, information related to investigations conducted during the year.

5.0 ASSOCIATED DOCUMENTS

6.0 POLICY REVISION HISTORY

Date Created: October 11, 2006
Revisions: January 2017. Reformatted



CAO Mark Phillips

Title: Closure of Kentville Library Branch

Meeting Date: June 8, 2026

Department: Administration

RECOMMENDATION

That Council provide notice of Town of Kentville's withdrawal from Annapolis Valley Regional Library Board to all Annapolis Valley Regional Library Board partners pursuant to Section 6(2) of the *Libraries Act*, effective December 31, 2027.

SUMMARY

Town of Kentville has recently been notified that Annapolis Valley Regional Library Board plans to permanently close the Kentville Branch Library effective July 20, 2026, along with four other much smaller libraries. This will allow them to re-allocate their funding resources to other libraries in the Board's jurisdiction to be subsidized by Kentville residents.

Going forward, Kentville residents will have to travel about 20 minutes east or west to access library services. Staff are proposing that notice of withdrawal be given to the Board by giving the required one-year notice so our funding beginning in 2028 can be used to consider the establishment of a new form of library service in Kentville.

Library services are one of the last, and maybe the last, free government service that still exists in Nova Scotia that is accessed by residents from ages 2 to 102.

LEGISLATION

Section 6 of the *Libraries Act* states that:

(1) With the approval of the Minister of Communities, Culture and Heritage, a city, town or municipality may enter into and carry out an agreement with other cities, towns, municipalities and the Minister, or with any one or more of them, for the establishment and operation of a regional public library.

(2) A party to an agreement under this Section may withdraw from participation in the agreement on the thirty-first day of December in any year by giving to each of the other parties not less than one year's written notice of its intention to withdraw.

BACKGROUND

Many decades ago, Town of Kentville entered into an agreement pursuant to the *Libraries Act* to establish the Annapolis Valley Regional Library Board. The Board currently has eight members including Town of Kentville: Municipality of the County of Annapolis, Town of Annapolis Royal, Town of Middleton, Town of Berwick, Municipality of the County of Kings, Town of Wolfville, and Regional Municipality of West Hants. These municipalities currently fund in whole, or in part, 11 library buildings.

Five of these are now being proposed to be closed in Kentville, Middleton, Hantsport, Port Williams, and Lawrencetown.

Libraries that will continue to remain open and be funded by all 8 municipalities are in Annapolis Royal, Bridgetown, Kingston, Berwick, Wolfville, Windsor,

IMPACT ON STRATEGIC PRIORITIES

Two of the key strategic priorities of Kentville are to place more emphasis on diversity and inclusion, as well as partnerships. Libraries as free services offering things like free internet and wi-fi, books, videos, programs and services, technology to take part in medical and employment meetings, as well as many other community and social interactions. By removing barriers to promoting and supporting different persons and community events, as well as more partnerships and cooperation with community groups and community partners, Town of Kentville is a great community to live. This closure will hurt the social fabric of Kentville.

IMPORTANT DATES OR BENCHMARKS

Upon approval of the recommendation, letters will be sent to the Minister and other municipal partners to inform them of our decision to withdraw from the Library Board as it will no longer serve Kentville residents with in-person service. Provincial legislation requires that we give one-year's notice effective on the following December 31st.

On-line library services will still be available to all residents as the service is heavily provincially funded and service cannot be denied based on residency.

POLICY IMPLICATIONS

This issue is reflective of provincial policy decisions to not continue to fund library services through bricks and mortar buildings but have been advocating with the Library Board to consider other worldwide models. To date, the Board has refused to consider these options, have been using reserve funds to balance their budget for several years, and Kentville is now a victim of these decisions.

BUDGET IMPLICATIONS

Town of Kentville currently pays two fees for library services. The first amount is a base amount provided to the Library Board to provide general services like administration, technology, books, etc. This was \$42,800 in 2025-2026. Council had agreed to increase this by the requested amount of 50% to \$64,200. In addition, Kentville pays the costs of leasing a building to house the library in conjunction with Municipality of the County of Kings. This cost of \$98,988 is cost-shared 50-50 with Kings.

Based on a lease termination in August, there will be a saving of approximately \$60,000 on the leased space in 2026-2027 to be split evenly between Kentville and Kings. The base library amount of \$42,800 will still need to be paid in full.

COMMUNICATION IMPLICATIONS

Town of Kentville will issue a council release to inform the public of this decision being made and the nature of the financial implications and legislative requirements.

Respectfully submitted,

Chris McNeill
Chief Administrative Officer

Street Encroachment Bylaw

Meeting Date: June 8, 2026
Department: Planning and Development

RECOMMENDATION

THAT the Council Advisory Committee recommend that Council give First Reading to Bylaw 207 - Street Encroachments.

Background

Staff have prepared a draft Street Encroachment By-law to establish a process for regulating and authorizing encroachments within municipal streets, sidewalks, and public rights-of-way.

The proposed By-law provides a framework for the issuance of Encroachment Licenses for structures and features located within municipal rights-of-way, including accessibility improvements, access stairs, ramps, sidewalk cafés, and similar encroachments.

Sidewalk Café Policy Integration

The Town currently administers outdoor sidewalk cafés through a separate Sidewalk Café Policy. As part of the development of the proposed Street Encroachment By-law, staff have incorporated the operational requirements and approval framework for sidewalk cafés directly into the by-law.

Integrating sidewalk café provisions into the Encroachment By-law provides several benefits:

- Establishes a single, comprehensive regulatory framework for all encroachments within the municipal right-of-way.
- Improves administrative efficiency by eliminating the need to administer two separate approval documents.
- Provides greater consistency in application, enforcement, and accessibility requirements.
- Ensures sidewalk cafés are subject to the same licensing, renewal, insurance, indemnification, and compliance provisions as other encroachments.

The proposed by-law therefore supersedes the existing Sidewalk Café Policy. Should Council ultimately adopt the Encroachment By-law, staff recommend that Council repeal the Sidewalk Café Policy concurrently with the by-law coming into force.

Recommendations from the Inclusion, Diversity, Equity and Accessibility (IDEA) Committee

As part of the Town's review process, the draft By-law was circulated to the Inclusion, Diversity, Equity and Accessibility (IDEA) Committee for review.

The IDEA Committee generally supported the intent of the By-law but identified several opportunities to strengthen the document's alignment with accessibility legislation and standards, particularly the Built Environment Accessibility Standard which came into effect on April 1, 2026.

Staff have reviewed the comments received and are have incorporated the proposed amendments prior to Council's consideration of the By-law.

Discussion

IDEA Committee Review

The IDEA Committee reviewed the draft Street Encroachment By-law and identified several areas where accessibility considerations could be more clearly incorporated into the document.

The Committee's comments focused on:

- Accessibility and barrier-free design references;
- Alignment with the Nova Scotia Accessibility Act and the Built Environment Accessibility Standard;
- Pedestrian clearance requirements for encroachments within public rights-of-way; and
- The administration of long-term Encroachment Licenses where accessibility or other legislative requirements may change over time.

Accessibility and Legislative Alignment

The draft By-law currently permits encroachments intended to improve accessibility but contains limited references to accessibility legislation or barrier-free design principles.

Staff agree that the By-law would benefit from additional references to accessibility requirements to assist applicants, property owners, and administrators in understanding the Town's expectations for encroachments located within public pedestrian spaces.

Proposed changes included the addition of accessibility-related definitions and explicit references to provincial accessibility legislation and standards.

These changes will provide greater clarity while supporting the Town's commitment to creating accessible and inclusive public spaces.

Pedestrian Clearance Requirements

Section 2.4 of the draft By-law had required a minimum unobstructed pedestrian travel surface of 1.5 metres between an encroachment and the roadway.

The IDEA Committee noted that the Built Environment Accessibility Standard references a minimum accessible route width of 1,600 millimetres and questioned whether the proposed requirement fully aligns with provincial standards.

Staff recognize that accessibility standards may evolve over time and that fixed measurements contained within municipal by-laws may require future amendment.

To ensure continued alignment with provincial requirements, staff amended the fixed measurement with a requirement that all encroachments maintain the minimum unobstructed width prescribed by applicable accessibility legislation and standards.

This approach would allow the By-law to remain aligned with future amendments to accessibility requirements without requiring corresponding amendments to the municipal By-law.

Future Legislative Changes and License Administration

The draft By-law permits Encroachment Licenses for periods of up to ten years.

The IDEA Committee questioned how future changes to accessibility requirements would be addressed where a License remains in effect for an extended period of time.

Staff recognize that this issue extends beyond accessibility and may also apply to future engineering standards, utility requirements, public safety considerations, and municipal infrastructure projects.

To address this concern, staff have amended the draft by-law to require ongoing compliance with applicable legislation and authorize the Town to require modifications where necessary to address future legislative or regulatory changes.

These amendments would ensure that encroachments remain compatible with evolving standards throughout the term of a License and provide greater certainty for both the Town and property owners.

Staff Position

Staff support the recommendations of the IDEA Committee and are of the opinion that the proposed amendments would:

- Improve alignment with provincial accessibility legislation and standards;
- Support the Town's accessibility and inclusion objectives;
- Provide greater clarity for applicants and administrators;

- Improve the long-term administration of Encroachment Licenses; and
- Ensure the By-law remains adaptable to future legislative and regulatory changes.

Financial Implications

There are no direct financial implications associated with the recommendations contained in this report.

Any future review of accessibility requirements would be accommodated through existing administrative processes.

Conclusion

The IDEA Committee has identified several opportunities to improve the proposed Street Encroachment By-law through stronger alignment with accessibility legislation and clarification regarding the administration of long-term Encroachment Licenses.

Staff support the proposed amendments and recommend that the Council Advisory Committee endorse the proposed revisions and recommend that Council consider a Street Encroachment By-law for First Reading.



Town of Kentville Bylaw 207 STREET ENCROACHMENT

BE IT ENACTED by the Council of Town of Kentville under the authority of the *Municipal Government Act*, Statutes of Nova Scotia, 1998, Chapter 18, and amendments thereto as follows:

1. SHORT TITLE

This Bylaw shall be known as Bylaw 207 and may be cited as the "Street Encroachment Bylaw".

2. PURPOSE

Whereas:

(a) Pursuant to Section 308(2) of the *Municipal Government Act*, all streets are vested absolutely in the Town and the Town has full control over such streets insofar as is consistent with their use by the public;

(b) Section 314(2) of the *Municipal Government Act* provides that a Council may, by by-law, regulate encroachments upon, under, or over streets, including stipulating the period of time an encroachment may remain and the entering into of agreements for such encroachments; and

(c) The Town enacts this By-law to authorize the municipality to regulate encroachments and to enter into License Agreements with abutting property owners in relation to encroachments upon streets.

3. DEFINITIONS

In this By-law:

(a) "abutter" means the owner of any premises or lot in the Town of Kentville which abuts a Town street, and includes, where applicable, a condominium corporation managing such premises;

(b) "barrier-free path of travel" means a continuous unobstructed route intended to provide accessible movement for pedestrians, including persons using mobility aids, and shall be interpreted in accordance with applicable accessibility legislation and standards.

- (c) *“building”* means a roofed structure, whether permanent or temporary, used or capable of being used for the shelter or accommodation of persons, animals, materials, or equipment, and includes all additions, porches, verandahs, decks, and attached features;
- (d) *“Council”* means the Council of the Town of Kentville;
- (e) *“Development Officer”* means the person appointed to administer the Land Use By-law and includes a person acting under the supervision of the Development Officer;
- (f) *“Engineer”* means the Town Engineer or designate;
- (g) *“Encroachment”* means any structure, projection, or use located upon, over, or under a public street;
- (h) *“License”* means an Encroachment License issued pursuant to this By-law;
- (i) *“Sidewalk Café”* means an outdoor seating area consisting of tables, chairs, and related accessories, situated on a public sidewalk or pedestrian area, for the consumption of food and beverages associated with an adjoining establishment.
- (j) *“street”* means a public street, highway, road, sidewalk, or right-of-way under the ownership or control of the Town, and includes the full width thereof;
- (k) *“structure”* includes anything erected, constructed, or affixed to the ground or to another structure, including stairs, ramps, landings, awnings, lighting, signs, flags, cornices, and similar features;
- (l) *“Town”* means the Town of Kentville.

4. GENERAL PROVISIONS

4.1 Permitted Applications

Abutters may apply for an Encroachment License to permit the construction or maintenance of structures within the street right-of-way for the purpose of providing access to a building, improving accessibility, or legitimizing an existing encroachment, provided that all requirements of this By-law are satisfied.

4.2 Public Safety and Operations

The Town reserves the right to refuse, revoke, or require the removal of any encroachment that, in the opinion of the Engineer, interferes with pedestrian

or vehicular movement, municipal operations, or public safety, including but not limited to snow clearing and servicing activities.

4.3 Restrictions

No Encroachment License shall be issued for any encroachment that provides access to a floor other than the floor closest to street level, or that provides access for motor vehicles, except for assistive mobility devices. No encroachment shall extend onto the frontage or flankage of an adjacent property.

4.4 Pedestrian Clearance

No Encroachment License shall be issued where the encroachment would result in less than the minimum unobstructed pedestrian travel width required by applicable accessibility legislation and standards, unless otherwise permitted by such legislation or approved by the Engineer where site constraints exist and such approval remains consistent with applicable accessibility requirements.

4.5 Landscaping

Landscaping shall be temporary in nature and shall be contained within the approved encroachment area, unless otherwise approved by the Development Officer.

4.6 Permits and Approvals

The Licensee shall obtain all required permits, including building permits and sign permits, where applicable, and shall comply with all relevant by-laws and regulations.

4.7 Accessibility Compliance

All encroachments authorized under this By-law shall comply with the Nova Scotia Accessibility Act, the Built Environment Accessibility Standard, and any successor legislation or standards respecting accessibility in the built environment.

4.8 Term

Encroachment Licenses issued under this Part shall not exceed a period of ten (10) years. Notwithstanding the term of a License, the Licensee shall maintain compliance with all applicable legislation, regulations, and standards throughout the duration of the License.

4.9 Legislative Changes

Where changes to legislation, regulations, standards, municipal infrastructure requirements, or public safety requirements occur during the term of a License, the Town may require modifications to an approved encroachment where necessary to maintain compliance with such requirements.

4.10 Indemnity

No Encroachment License shall be issued unless the applicant provides an agreement of indemnity in favour of the Town, in a form satisfactory to the Town, for the defence and indemnification of any claims arising from the encroachment.

5. SIDEWALK CAFÉS AND STREETScape USES

5.1 Permitted Use

An Encroachment License may be issued for the establishment of a sidewalk café as an accessory use to an existing food and beverage establishment, provided that such café is located adjacent to the principal use and complies with the requirements of this By-law and any applicable Council policies.

5.2 Hours of Operation

A sidewalk café shall not operate beyond the hours of operation of the principal establishment to which it is accessory, and in no case shall it operate later than 2:00 a.m. on any given day.

5.3 Pedestrian Movement and Temporary Walkways

Where a sidewalk café interferes with the free flow of pedestrian traffic, the Development Officer, in consultation with the Engineer, may require the provision of a temporary pedestrian walkway adjacent to the café, designed in accordance with specifications approved by the Town and with consideration for accessibility and public safety.

5.4 Encroachment Limits

No sidewalk café shall extend onto the frontage or flankage of an adjacent property without the written consent of the affected property owner.

5.5 Fencing and Enclosure

Where fencing is provided:

- a) fencing shall not exceed one (1) metre in height;

- b) open-style fencing shall be preferred to maintain visibility;
- c) fencing located within six (6) metres of an intersection shall not obstruct sightlines or vehicular visibility, as determined by the Town.

5.6 Annual Permit Requirement

Notwithstanding any other provision of this By-law, a sidewalk café shall require an annual permit issued by the Development Officer.

Such permit shall be valid only for the approved operating season and shall expire at the end of that season unless renewed.

The issuance of an annual permit shall be subject to compliance with this By-law, any conditions of approval, and any applicable Council policies, and may be refused or revoked where such requirements are not met.

The requirement for an annual permit shall not relieve the Licensee from obtaining an Encroachment License where required under this By-law.

5.7 Umbrellas and Accessories

All umbrellas, furnishings, and associated features shall be located entirely within the approved encroachment area and shall not project beyond its boundaries.

5.8 Maintenance and Waste Management

The Licensee shall maintain the sidewalk café area and adjacent public space in a clean and orderly condition at all times and shall ensure that all waste generated by the operation is removed from the street right-of-way.

5.9 Lighting

Lighting associated with a sidewalk café shall:

- a) be temporary in nature;
- b) not project onto adjacent properties; and
- c) not interfere with traffic control devices or visibility.

5.10 Furnishings

All furniture and accessories shall be constructed of durable, weather-resistant materials and maintained in good condition.

5.11 Seasonal Removal

All sidewalk café elements, including furnishings, fencing, and structures, shall be removable and shall be removed during the off-season or upon cessation of operation, and the site shall be restored to its original condition to the satisfaction of the Engineer.

5.12 Noise

The operation of a sidewalk café shall not create a nuisance for adjacent properties, and the Town may revoke a License where such nuisance is determined to exist.

5.13 Municipal and Utility Access

The Town and utility providers retain the right to access the encroachment area at any time for installation, maintenance, or emergency purposes, and the Licensee shall remove or relocate elements of the café at their own expense when required.

5.14 Insurance

The Licensee shall maintain liability insurance in an amount not less than \$2,000,000, naming the Town as an additional insured, and shall provide proof of such insurance prior to issuance of a License.

5.15 Season

Sidewalk cafés shall operate only between May 15 and October 15, unless otherwise approved by the Town.

6. APPLICATION

6.1 Application Requirements

An application for an Encroachment License shall be made in writing on a form prescribed by the Town and shall include the required application fee, a site plan or survey showing the location and dimensions of the proposed encroachment, and any additional information deemed necessary by the Development Officer or Engineer.

7. ADMINISTRATION

7.1 Administration

This By-law shall be administered by the Development Officer.

7.2 Approval

No Encroachment License shall be issued without the written approval of the Engineer.

7.3 License Content

Every Encroachment License shall specify the location, dimensions, duration, and conditions of the encroachment, including maintenance obligations.

7.4 Renewal

A License may be renewed at the discretion of the Town, subject to compliance with this By-law and submission of a new application.

7.5 Comfort Letters

The Engineer may issue a Comfort Letter indicating that the Town has no present intention to require removal of an encroachment, while retaining the right to require removal at any time.

8. CHANGE IN OWNERSHIP

8.1 Assignment of License

An Encroachment License issued pursuant to this By-law may be assigned by the Licensee to a subsequent purchaser or owner of the property to which the License relates.

8.2 Notice and Reapplication

Where ownership of a property subject to an Encroachment License changes, the new owner shall, within one hundred and twenty (120) days of the transfer of ownership, notify the Development Officer in writing of the name and mailing address of the new owner and shall submit a new application for an Encroachment License in accordance with this By-law.

8.3 Continuation of Obligations

Until such time as a new Encroachment License is issued, the existing encroachment shall remain subject to all terms, conditions, and obligations of the original License, and the new owner shall be deemed to have assumed all such obligations.

9. REVOCATION OR REFUSAL

9.1 Revocation by Development Officer

The Development Officer may revoke an Encroachment License or refuse to issue a License where the applicant or Licensee fails to comply with the

provisions of this By-law, any applicable by-law of the Town, or any condition imposed under a License.

9.2 Notice of Revocation

Notice of revocation or refusal shall be provided in writing to the applicant or Licensee and may be delivered by personal delivery, by mailing to the last known mailing address, or by electronic mail to the last known email address provided to the Town.

Notice shall be deemed to have been received:

- a) on the date of delivery, where delivered personally;
- b) five (5) business days after mailing, where sent by regular mail; and
- c) on the date of transmission, where sent by electronic mail, provided that no automated notice of delivery failure is received by the Town.

No compensation shall be payable by the Town in relation to any revocation or refusal.

9.3 Revocation by Council

Notwithstanding Section 7.1, Council may, by resolution, revoke an Encroachment License at any time during its term by providing one hundred and twenty (120) days' written notice to the Licensee, where Council determines, in its sole discretion, that the lands subject to the License are required for municipal purposes.

9.4 No Compensation

No compensation shall be payable by the Town in respect of any revocation, refusal, or termination of an Encroachment License.

10. REMOVAL OF ENCROACHMENTS

10.1 Requirement for Removal

Any encroachment located upon, under, or over a street for which an Encroachment License has not been issued, or where such License has expired or been revoked, shall be removed by the owner upon written notice from the Town within such time as may be specified in the notice.

10.2 Authority to Remove

Where an owner fails to remove an encroachment in accordance with Section 8.1, the Town may enter upon the lands and remove the encroachment or cause it to be removed.

10.3 Recovery of Costs

The cost incurred by the Town in removing an encroachment may be recovered from the owner as a debt owing to the Town and may be collected in any manner permitted under the Municipal Government Act, including as a lien against the property.

10.4 No Limitation on Authority

Nothing in this By-law shall limit the authority of the Town to exercise any remedies available under the Municipal Government Act or otherwise at law.

10.5 No Compensation

The Town shall not be liable for compensation in respect of the removal of any encroachment or any damage arising therefrom.

11. APPEAL

11.1 Right of Appeal

Any person aggrieved by a decision of the Development Officer made pursuant to this By-law may appeal such decision to Council within fourteen (14) days of the date the written notice of the decision is deemed to have been received in accordance with Section 7.2 of this By-law.

11.2 Notice of Appeal

An appeal shall be made by submitting written notice to the Chief Administrative Officer, setting out the grounds of appeal.

11.3 Powers of Council

Upon hearing an appeal, Council may confirm, rescind, or vary the decision of the Development Officer and may impose such conditions as it deems appropriate.

11.4 Final Decision

The decision of Council on an appeal shall be final.

12. OFFENCE

12.1 Offence

Any person who contravenes any provision of this By-law is guilty of an offence.

12.2 Penalties

A person convicted of an offence under this By-law is liable to the penalties set out in Section 505 of the Municipal Government Act, as amended from time to time.

13. REPEAL

Town of Kentville Policy G29 respecting Sidewalk Cafes, approved by Council on the 17th day of January, 2017, including any amendments thereto, is hereby repealed.

CLERK'S ANNOTATION FOR OFFICIAL BYLAW BOOK

Date of first reading:

Date of advertisement of Notice of Intent to Consider:

Date of second reading:

Date of Approval by Minister:

Date of advertisement of Passage of Bylaw:

Effective Date:

I certify that this Street Encroachment Bylaw was adopted by Council of the Town of Kentville on the ____ day of ____ 2026 and published as indicated above.

SIGNED by the Mayor and Clerk this ____ day of ____, 2026.

Mayor

Clerk

SCHEDULE "A":

ENCROACHMENT LICENSE AGREEMENT**

THIS AGREEMENT made this ___ day of _____, 2026.

BETWEEN:

THE TOWN OF KENTVILLE, a municipal body corporate
(hereinafter called the "Town")

OF THE FIRST PART

- and -

(hereinafter called the "Licensee")

OF THE SECOND PART

WHEREAS:

- (a) The Town is the owner of a public street within the Town of Kentville;
 - (b) The Licensee is the owner of lands abutting such street;
 - (c) The Licensee has requested permission to construct and/or maintain an encroachment within the street right-of-way;
-

NOW THEREFORE:

1. The Town hereby grants to the Licensee permission to construct and/or maintain the encroachment as described in the attached plan.
2. This License shall not exceed a term of ten (10) years unless otherwise specified.
3. The Licensee acknowledges that this License does not create any ownership or property interest in the lands of the Town.
4. The Licensee shall maintain the encroachment in a safe and clean condition at all times.
5. The Licensee shall comply with all applicable by-laws, statutes, and regulations.

6. The Licensee assumes all risks associated with the encroachment and agrees that the Town shall not be liable for any damages, including those arising from municipal operations.
 7. The Town may revoke this License in accordance with the By-law.
-

SIGNED, SEALED AND DELIVERED

TOWN OF KENTVILLE

Per: _____
Chief Administrative Officer (or designate)

Per: _____
Development Officer

Per: _____
Town Engineer

LICENSEE

(Affix Seal)

****SCHEDULE B**

INDEMNITY AGREEMENT**

THIS AGREEMENT made this ___ day of _____, 2026.

BETWEEN:

(hereinafter called the "Owner")

- and -

THE TOWN OF KENTVILLE

AGREEMENT:

The Owner hereby agrees to indemnify and save harmless the Town, its officers, employees, and agents from and against all claims, actions, losses, damages, and costs, including legal costs, arising from or in any way related to the encroachment.

The Owner acknowledges that the Town may require removal of the encroachment at any time and that no compensation shall be payable.

****SCHEDULE C**

COMFORT LETTER**

Dear _____:

Re: Encroachment on Town Property at _____, Kentville

The Town acknowledges the presence of an encroachment as identified in the submitted plans. At this time, the Town has no present intention to require removal of the encroachment; however, the Town reserves the right to require removal at any time without notice or compensation.

This letter does not confer any ownership or legal right and does not exempt the property owner from compliance with applicable by-laws.



TOWN OF KENTVILLE POLICY STATEMENT G29 SIDEWALK CAFES

1.0 PURPOSE

The purpose of this policy is to set consistent guidelines under which owners of food establishments (“Owner”) may expand their operation, by providing a seasonal outdoor dining area, and to further add to the vitality of downtown Kentville.

2.0 DEFINITION

For the purpose of this policy, a sidewalk café is defined as a group of tables and chairs, and other accessories belonging to an Owner, situated and maintained upon a public sidewalk or pedestrian mall, for the use and consumption of food and beverages sold to the public, from or in, the Owner’s adjoining indoor food and beverage establishment.

3.0 SCOPE

Accessory Use

Sidewalk cafés shall be located adjacent to an existing food and beverage establishment and shall be considered an accessory use, as per Part 1, Section 1.2 of the Town of Kentville’s Land Use Bylaw.

Hours of Operation

A sidewalk café shall be operated for no longer than the operating hours of the principal use to which it is an accessory, and in any event, must be closed not later than 2 a.m. on any given day.

Sidewalk Use

Where the sidewalk café inhibits free flow of pedestrian traffic, in the opinion of the Town, the Owner shall provide a temporary sidewalk adjacent to the sidewalk café, subject to the approval and specifications of the Town. Consideration will be given for accessibility and for traffic movement and safety based on approval of the Traffic Authority.

Sidewalk cafes shall not extend onto the frontage of abutting property owners, unless written permission is obtained from abutting property owners.

Fencing

Sidewalk café fences shall not exceed 3 feet (1 metre) in height.

Open fencing is preferred to solid fencing, but fabric insert panels may be used.

Fencing should incorporate a solid base perimeter to facilitate identification of the barrier by visually impaired individuals.

Any fencing located within 20 feet (6 metres) of an intersection shall not obstruct the vehicular view angles, as determined by the Town.

Umbrellas

All umbrellas shall be located entirely within the approved sidewalk café area.

Waste and Storage

The sidewalk café Owner shall maintain the sidewalk café area, and the immediately adjacent area, in a clean and safe condition at all times.

Waste receptacles and work-stations should be located along the building wall.

The Owner shall ensure any refuse originating in the café is removed from the street right-of-way.

Access

The Owner shall maintain a minimum width of 3 feet 6 inches (1.1metres) of unobstructed (barrier free) walkway to the entrance of the building.

Landscaping

Landscaping of the sidewalk café is encouraged, however, this should be of a temporary nature, unless otherwise approved. Plant material must be contained within the approved sidewalk café area.

Lighting

Any lighting of the sidewalk café shall be of a temporary nature and shall not project onto adjacent properties, nor conflict with traffic control indicators.

Sidewalk Café Furnishings

All tables, chairs and decorative accessories in the sidewalk café should be constructed using weather resistant materials.

Removal of Improvements

Town of Kentville, Policy G29: Sidewalk Cafes

Sidewalk café furnishings, fences, awnings, screens, signs, lighting and other sidewalk café improvements must be removable and not permanently fixed in place.

All objects must be contained within the area approved for the sidewalk café.

(c) All objects must be removed during the off-season or after the sidewalk café ceases operation.

(d) When the operation ceases, the street, sidewalk and municipal property must be restored to its original condition, to the satisfaction of the Engineer.

Noise

Music or other entertainment provided for patrons of a sidewalk café shall not create a nuisance to abutting property owners. The Town reserves the right to revoke permits where this nuisance occurs.

Utility Access

The Town of Kentville and public utility agencies retain the right of access to the approved sidewalk café area, for the installation, maintenance and repair of pipes, cables, wires, poles, hydrants, etc., as necessary.

In case of emergency, no notice may be given, although for scheduled work, a minimum notice of 48 hours will normally be given.

Sidewalk café improvements shall be removed and reinstalled at the sidewalk cafés Owner's expense.

Emergency Vehicle Access

The Town of Kentville retains the right of access to the approved sidewalk café for emergency vehicle access.

4.0 PROCEDURES

No Owner shall establish a sidewalk café unless approval has been granted by the Town of Kentville;

Prior to approving any new application, the Town of Kentville will advise adjacent property owners of this proposed sidewalk use and will encourage feedback from them, which in turn, will be considered during the approval process.

An application may be refused, should the guidelines not be met or should complaints from adjacent property owners, the general public, the Kentville Police Services, or other emergency service providers, not be satisfactorily resolved. Notification of this decision will be provided in writing to the applicant, along with those shortcomings identified.

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1. Appeal Process

Should an application be declined, the applicant may appeal in writing, with reasons, to Council for reconsideration of that decision. Council shall deliver a written decision, through its CAO or Clerk within 60 days of receipt of the appeal letter.

2. Revocation of Approval

Where an Owner fails to conform to the terms and conditions of approval, the Town of Kentville may order that the sidewalk café be removed from the public sidewalk on which it is located. If the Owner fails to comply with such an order within 24 hours notification, the Town may take such action needed to have the sidewalk café removed.

3. Permits Required: An Owner must determine from the Town whether the Owner requires permits in association with the sidewalk café. Among others,

A Building Permit may be required prior to the installation of barriers, structures and awnings and these shall conform to the requirements of the Building Bylaw. A Sign Permit may be required for any advertising within the sidewalk café, and this must conform to the Sign Bylaw and the Zoning Bylaw.

4. Rental Fees

There shall be a rental charge for the use of sidewalk café space payable to the Town, at the rate of \$0.50 per square foot (0.0929 square meters) for a term not exceeding May 15 to October 15.

5. Information Requirements

The applicant should submit a site plan, (drawn to the scale of 1 to 60)

This will show the delineated area of the proposed sidewalk café.

It will show the proposed location and placement of planters, awnings, tables, chairs, fences and all other accessories in relation to the public sidewalk; and to the indoor restaurant associated with it.

The plan shall show the location of utility poles, hydrants, parking meters, bus shelters, manholes, traffic signs, etc.

6. Design

The design of the sidewalk café should be consistent with the age and character of the building for which it serves as an accessory use. As the Town of Kentville wishes to enhance the beauty of the downtown area with aesthetically pleasing designs and plantings, the inclusion of these items shall be considered in review of all applications.

7. Insurance

The Owner of a sidewalk café must carry a minimum of \$2,000,000 liability insurance for the operation of the sidewalk café and must indemnify the Town of Kentville safe and harmless, from any and all claims of injury to persons or damage to property attributable, in whole or in part, to the existence, location and operation of a sidewalk café in the

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public right-of-way.

Proof of insurance shall be provided before the permit is issued.

The Town of Kentville shall be notified 10 days before the cancellation of this insurance.

8. Season

Operation of the sidewalk café shall be from May 15 until October 15, unless otherwise approved.

5.0 ASSOCIATED DOCUMENTS

6.0 POLICY REVISION HISTORY

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CAO Mark Phillips