



AGENDA
Town Council Meeting-Council Chambers
June 17th, 2024
6:00 p.m.

Doc Ref:

-
- 1) Call to Order
 - 2) Approval of Agenda
 - 3) Approval of Minutes from the regular Town Council meeting held on June 3rd, 2024.
 - 4) Proclamations and Announcements:
 - a) National Indigenous People's Day, June 21st, 2024
 - b) Congratulations Graduates!
 - c) Canadian Multiculturism Day, June 27th, 2024
 - d) Canada Day, July 1st, 2024
 - 5) Delegations/Presentation: **NONE**
 - 6) Correspondence:

Action:

 - a) Email – Jay Pilzer, Fisherman Memorial D24-365

Information:

 - a) Letter – Western Counties Regional Libraries D24-366
 - 7) Council Items:
 - a) 2024/25 Water Utility Budget D24-367
 - b) 194 Rodney Street, Land Use By-law Second Reading D24-368
 - c) Funding, Road Rehab D24-369
 - d) Alternate Voting Amendment – First Reading D24-370
 - 8) Committee Reports:
 - 9) Staff Reports:
 - a) Solid Waste By-law Amendment D24-371
 - b) Building Inspector Report – May D24-372
 - c) By-law Officer Report – May D24-373
 - d) Wastewater Report – May D24-374
 - e) Water Utility Report – May D24-375
 - f) Accessibility Report D24-376
 - g) SVFD Report – May D24-377
 - 10) In Camera: MGA 22(2) (e) - Contract Negotiations
 - 11) New Business:
 - 12) Upcoming Meetings/Events:
 - a) Prom Parade, From Boxing Rock to Shelburne Regional High School, June 15th, 2024, 7:30pm
 - b) National Indigenous People's Day, June 21st, 2024
 - c) Next Town Council Meeting, Tuesday, July 2nd, 2024, 6pm, Council Chambers, Town Hall
 - d) Public Hearing, Roads Trails By-law, July 4th, 2024, 6pm, Shelburne Community Centre, Mt. Rm. A
 - 13) Adjournment



Town of Shelburne
Minutes of the Regular Council Meeting
June 3rd, 2024

Council Members Present

Mayor Harold Locke
Councillor Ben Nickerson
Councillor Rick Davis
Councillor Elizabeth Acker

Regrets

Deputy Mayor Sheldon Ringer

Staff Present

Chief Administrator Officer, Sarah Mattatall
Deputy CAO, Ken Smith
Executive Coordinator, Jill Webb
Senior Planner, Mike Khan

Call to Order

Mayor Locke called the Council meeting to order at 6pm.

The Town of Shelburne is located on the ancestral and unceded territory of the Mi'kmaq, (Mi'kma'ki), in the District of Kespukwitk, home to Acadia First Nation. We are all Treaty people.

We also acknowledge the history, contributions, and legacies of the African Nova Scotian people and communities.

Approval of the Agenda

THAT Council approves the agenda for June 3rd, 2024.

Acker-Davis

CARRIED

Approval of the Minutes

THAT Council approves the minutes from the regular Town Council Meeting held on May 21st, 2024.

Davis-Acker

CARRIED

Proclamations and Announcements:

a) Volunteer of the Month - June

Councillor Nickerson read: Beth VanBuskirk is being recognized as the Volunteer of the Month for June for her hard work and dedication to our community.

As the President of the Churchover/Gunning Cove (CGC) Fire Hall Ladies Auxiliary, Beth has demonstrated exceptional dedication and leadership within our community.

Professionally, Beth is a certified esthetician who successfully runs her own spa business from her home. She has also gained widespread acclaim for her exceptional face painting skills, becoming a beloved figure at local events and children's birthday parties.

At the CGC Ladies Auxiliary, Beth has been instrumental in the promotion and development of the Bouncy Castle Birthday Party rentals. Thanks to her efforts, these rentals have become a tremendous success and a significant fundraiser for the fire hall.

In addition to her contributions to the CGC Fire Hall Ladies Auxiliary, Beth is an active volunteer for the Hillcrest Breakfast Program, where her commitment and compassion shine through. Furthermore, she has generously donated her services to raise funds for her friend's private school in the Dominican Republic, providing education to children who otherwise would not have access.

Beth also finds time to coach basketball for the Shelburne County Basketball Association, showcasing her versatility and dedication to youth development. On top of all these commitments, she is a busy mom, balancing her professional, volunteer, and family responsibilities with remarkable grace and energy.

For all that Beth has done and continues to do for this community, Town of Shelburne Council recognize her as the Volunteer of the Month for June.

Thank you, Beth!

b) Wildfire Prevention

Mayor Locke read: I'd like to take a moment to remind everyone that we are in the heart of wildfire season. As the weather becomes warmer and drier, the risk of wildfires increases significantly. While we want everyone to enjoy the outdoors, their long weekends, and vacations—which often include activities like campfires, using burn pits, or brush burning—it's crucial to do so safely.

After last year's devastating wildfires, I cannot stress enough the importance of prevention. We must avoid repeating last year's tragic losses. In Nova Scotia, almost all wildfires are human caused, so prevention is our first line of defense. It's everyone's responsibility to practice safe burning, and provincial burn restrictions are in place to guide you.

Here's what you need to know and do:

1. No open fire burning is allowed between 8 a.m. and 2 p.m. This is when the risk of wildfires is highest.
2. Check the daily Burn Safe map on the Government's website. The map is red from 8 a.m. to 2 p.m. because no burning is allowed during these hours. It's updated daily at 2 p.m. to show where and when burning is allowed:
 - Counties marked in green can burn after 2 p.m.
 - Counties marked in yellow can burn after 7 p.m.
 - Counties marked in red cannot burn that day due to high wildfire risk.
3. Check your municipal bylaws, which take precedence over provincial restrictions.

Please, follow the burn restrictions and help prevent the next wildfire. Let's work together to ensure a safe and enjoyable season for everyone.

c) World Ocean Day – June 8, 2024

Councillor Davis read: Join us on June 8, 2024, to celebrate World Ocean Day, a global event dedicated to honoring, protecting, and conserving our world's oceans. This day is a reminder of the critical role oceans play in our lives—from regulating the climate and providing food to supporting biodiversity and offering recreation.

This year's theme, "Planet Ocean: Tides are Changing," emphasizes the urgent need to address the challenges our oceans face, such as pollution, overfishing, and climate change. It's a call to action for everyone to contribute to the health and sustainability of our marine environments.

Here are some ways you can get involved:

1. Reduce Plastic Use
2. Participate in a Beach Cleanup
3. Support Sustainable Seafood
4. Educate Yourself and Others

Together, we can make a difference for our oceans and ensure they remain healthy and vibrant for future generations.

d) National Blood Donor Week – June 9-15th, 2024

Councillor Nickerson read: This special week is dedicated to honoring the incredible generosity and commitment of blood donors who make a lifesaving difference for patients in need.

Every donation has the power to save lives, and National Blood Donor Week is our opportunity to show appreciation for those who selflessly give their blood. Their contributions ensure that hospitals and clinics have the necessary supply to treat patients facing surgeries, chronic illnesses, and emergencies.

This global event raises awareness about the importance of blood donation and encourages more people to become donors. It's a reminder that the gift of blood is the gift of life.

Here's how you can get involved:

1. Donate Blood
2. Spread the Word
3. Thank a Donor

Let's come together to celebrate the heroes among us—our blood donors—and inspire more people to join this vital cause. Remember, your support and participation can make a tremendous impact.

e) Volunteer of the Year Representative for the Town of Shelburne

Councillor Acker read: Each year, a representative from the Town of Shelburne is selected to be honored as the Provincial Volunteer of the Year. This year, we are delighted to announce that Helen Goulden has been chosen for this prestigious recognition. We are proud to have such an outstanding community member representing us.

Helen has been an integral part of our community, dedicating countless hours to organizing and enhancing local events and initiatives. She played a pivotal role in the Founder's Days (now Dock Street Days) Parade of Lights, ensuring its success for several years. Helen's contributions extend beyond event planning; she has actively participated in various community efforts, including the YOLO Relay for Life, Sandy Point Lighthouse Suppers, and the "Support Our Troops" campaign.

Her commitment to the community is further demonstrated by her involvement with the Shelburne County Arena Board. Helen has volunteered many hours in the arena's canteen and recently took on the role of Canteen Manager. In this capacity, she has ensured smooth operations and welcomed every visitor with a warm smile.

Helen's tireless dedication and unwavering support of all community activities make her an invaluable asset to our town, and she is truly deserving of the title of Volunteer of the Year.

The provincial ceremony will be held this fall in Truro, NS, where Helen will be honored. Thank you, Helen, for all that you do!

Delegations/Presentations: NONE

Correspondence: NONE

Council Items:

a) First Reading Road Trails By-law

THAT Council proceed with the second reading of the Road Trails By-law on July 15th, 2024.

Nickerson-Davis

CARRIED

M24-223

Councillor Acker did ask for clarification on the bottom of the by-law where it states, "Amended route-removed all of King Street, changed to King Street to the corner of King and Water Street". By-law Officer, Dana Nash responded that King Street goes to the VIC Building, and he didn't want people to travel down on Dock Street.

b) First Reading Sewer Charges By-law

Mayor Locke asked Mike Khan to speak to the by-law. Mr. Khan explained to Council that with our aging systems and upgrades needed, the Town of Shelburne is looking at ways to recoup some of the costs. Other Municipalities and Towns do have development charges, Mr. Khan wanted to let Council know that these charges are only charged on new developments, not existing developments.

THAT Council proceed with the second reading of the Sewer Charges By-law on July 2nd, 2024.

Acker-Nickerson

CARRIED

M24-224

c) Roseway Manor Board

Mayor Locke informed the Council that with the construction of the new Roseway Manor, the current building will be deemed surplus once the new manor opens. The Board is seeking input on what should be done with the existing building, so Mayor Locke is bringing this matter to the Council for future consideration. The building is jointly owned by the three municipal units, and this discussion is preliminary, prior to decisions being made later.

Councillor Davis suggested that if new staff are needed for the Manor, the current building could temporarily accommodate them. Councillor Acker raised questions about who would be responsible for the building and whether it should be retained, sold, or offered to NS Health. She also proposed that offering the building to the Nova Scotia Community College might be beneficial, as it could provide housing

for students and potentially enable the expansion of programs. Councillor Acker wanted to add that the Board has been meeting and they had the opportunity to tour the Mahone Bay building and noted some of the design elements. She explained that there will be large windows, etc.

d) Request for Video Conferencing Policy

Councillor Nickerson informed the Council that he observed other units allowing virtual participation. He suggested that we consider this option, especially in today's situation where people prefer to avoid being in the same room as someone with a cold. This change could help ensure that people don't have to miss meetings.

THAT Council direct staff to create a video conferencing policy for Council's review.

Nickerson-Acker

CARRIED

M24-225

Committee Reports: NONE

Staff Reports

a) Landfill Remediation Update

Deputy CAO Smith updated the Council on the landfill remediation process. Most of the steps in Phase One have been completed, but we've encountered an obstacle: a wetland alteration application is now required. Dillon Consulting provided a quote of \$17,400 for this task. Smith outlined the application process, emphasizing that it must be completed before we can proceed to Phase Two.

THAT Council approve staff to move ahead with the wetland alteration application at a cost of approximately \$17,400.

Acker-Nickerson

CARRIED

M24-226

b) CAO Update

CAO Mattatall updated the Council on several items. First, some residents requested speed bumps on Minto Street. After consulting with the Public Works Supervisor, it was determined that speed bumps are difficult to maintain due to plowing. However, the town has a 50 km/h speed limit, and we will contact the local traffic authority to investigate lowering the speed limit and add "children playing" signage.

Secondly, after discussions with the by-law officer and public works, it was clarified that we don't have designated bike lanes; they are simply travel lanes. Nonetheless, we sweep the main roads once a year, and this has just been completed. Additionally, CAO Mattatall noted that if the Road Trails by-law passes, OHV vehicles will use these lanes, potentially adding more gravel and debris.

Mayor Locke highlighted that the school zone on King Street is a continuous zone, starting before the mall and extending past the high school.

New Business:

Councillor Davis - Congratulations to Jaycob Hartley, Shelburne Regional High School on his silver medal win for high jump at the Track and Field provincials in Cape Breton last weekend. As well a big congratulations to the rest of the athletes that competed at Provincials, hard work pays off!

Councillor Nickerson - Thanked Pam Mingo for organizing the Firefighter and Volunteer tribute on Saturday, June 1 and also thanked all the High School students at Shelburne Regional High School for their hard work on making the hearts that line the fence at Atlantic House Park. He was honoured to speak at the event.

Councillor Acker – Acknowledged Mei Jennings, Shelburne Regional High School as she won gold at the national job search skills competition in Quebec City. Mei also received two awards at the Sea Cadet review. Mei sits on the Osprey Arts Board and is a summer employee there.

Councillor Nickerson - Acknowledged Yui Jennings on a bronze medal at the National Science Fair for her project “The Ideal Locker”

Councillor Acker shared her experience attending the Sea Cadet review, describing it as a lovely ceremony where she was pleased to give remarks. She highlighted Martin Fudge receiving the James McGregor award and expressed happiness for his achievement. She also congratulated Mr. Ron Wallet, who will be celebrating his 95th birthday this weekend. Additionally, she recognized Boxing Rock for being named Brewery of the Year for all of Canada. Councillor Acker attended the celebration on June 2nd, noting it was a wonderful event where Councillor Nickerson delivered some heartfelt remarks. She also mentioned that on June 21, 2021, the Council passed a motion to request a cannabis outlet in Shelburne, and three years later, one has finally opened. Lastly, she noted that during the Roseway Manor board meeting, there was a discussion about offshore wind development, with an option to sign up for updates.

No further new business.

Upcoming Meetings/Events

- a) Town Wide Yard Sale, Saturday, June 8th, 9am-2pm, all over town.
- b) First Farmer’s Market of the season, Sunday, June 9th, 2024, 12-3pm, Guild Hall
- c) Public Hearing re: 194 Rodney Street, June 17th, 2024, 5pm, Shelburne Community Centre, Meeting Room A
- d) Next Council Meeting, Monday, June 17th, 2024, 6pm, Shelburne Community Centre, Meeting Room A.

Adjournment

THAT the Regular Town Council Meeting of June 3rd, 2024, be adjourned at 6:38pm.

Davis

Mayor, Town of Shelburne

Executive Coordinator, Town of Shelburne

Jill Webb

From: Sarah Mattatall
Sent: June 11, 2024 9:19 AM
To: Jill Webb
Subject: FW: Fisherman's Memorial

Document # D24-365	
Rec'd by <i>[Signature]</i>	
Date June 11/24	
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Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	<input type="checkbox"/>
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Hi Jill,

Can you add this to the June 17th Council for council to discuss.

Thanks,
Sarah

From: Jay Pilzer <jay@maritimesmusic.ca>
Sent: Friday, May 24, 2024 8:40 AM
To: Sarah Mattatall <Sarah.Mattatall@shelburnens.ca>
Subject: Fisherman's Memorial

CAUTION: This email originated from an external sender.

Hi Sarah, the town used to have a brief memorial at the Fisherman Memorial every summer. I think that it is important to remember these lives lost. Would the town like to re-start this? Thanks, Jay



Western Counties Regional Library

June 10, 2024

Town of Shelburne
168 Water Street
PO Box 670, Shelburne NS
B0T 1W0

Dear Sarah Mattatall,

On behalf of the Western Counties Regional Library Board, I would like to thank you and your council for taking the time to discuss libraries and for granting our request for one year (2024-25) additional funding to help support staffing and staff wages. We are pleased to share that the Department of Communities, Culture, Tourism and Heritage has also approved bridge funding for libraries and that it is currently working with a committee of library and municipal stakeholders to review the library funding formula.

We look forward to working together with municipalities, libraries and the province on updating the Nova Scotia public libraries funding model and improving the public library experience.

Thank you for your continued support for libraries.

Sincerely,

Erin Comeau
Executive Director

Document #	D24-366
Rec'd by	gw
Date	June 12/24
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Committee	<input type="checkbox"/>
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WATER UTILITY – COUNCIL MEETING JUNE 17, 2024

Document #	D 24-367
Rec'd by	<i>[Signature]</i>
Date	June 17, 2024
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Committee	

2024-25 Water Utility is budgeting Revenue of \$680,323, Expenses of \$677,352 with a Surplus of \$2,971. The Water Utility is governed by the Rules and Regulations approved by the Nova Scotia Utility and Review Board (UARB).

REVENUE –

- **Metered Sales** budgeted to decrease by 2% compared to 2023/24 actuals due to wildfire water consumption. 2023/24 Actual 473,544 – 24/25 Budget 468,200.
- **Flat Rate Sales, Fire Protection, Sprinkler Service, Forfeited Discounts and Other Operating Revenue** – Budgeted to remain consistent.
- **Non-Operating Revenue** – Budgeted to remain consistent with previous year’s actual. 2023/24 Actual 26,961 – 24/25 Budget 25,000.

EXPENSES –

- **Source of Supply** - Budgeted to remain consistent previous year.
- **Pumping** - Budgeted to increase approximately 4% from 24,439 to 47,113 due to increase in power used and increase in power rates.
- **Water Treatment** – Budgeted to increase by 15% from \$207,804 to \$237,322 due to increases in Chemicals & Additives and Water Testing. Plant is being operated at a slower pace to help to decrease HAA’s and TMA’s, which in turn uses more power and chemicals.
- **Transmission and Distribution** – Budgeted to decrease by 17% from 51,816 to 42,958 due to decrease in Maintenance of Mains decreased from 20,000 to 9,000 as per historical actuals.
- **Administration & General** – Budgeted to remain consistent with previous year.
- **Depreciation** – Budgeting to remain consistent with previous year.
- **Taxes** – Budgeted to remain consistent with previous year.
- **Non-Operating Expenditures** – Budgeted to decrease from \$128,147 to \$120,706 due to decrease in Capital Expense out of Operating.

WATER UTILITY DEPRECIATION RESERVE BALANCE UPDATE-

The Water Utility Depreciation fund at the end of March 31, 2024, has a balance of \$442,465.29. This does not include any amounts deducted for Capital Expenditures or addition for 2023/24 Depreciation Transfer.

WATER UTILITY DEBENTURE BALANCE UPDATE –

As of March 31, 2024, the Water Utility total principal loan balance is \$435,281, original principal amount borrowed \$1,454,046. Anticipated to be Debt Free in May 2026 for the current Debentures.

Water Plant Upgrade Debenture was issued June 1, 2009, with a maturity date of June 1, 2024. Yearly payments consist of \$29,267 plus interest yearly with a final principal payment of \$29,262 plus interest. Total borrowing consists of principal \$439,000 plus \$165,314.64 in interest for a total of \$604,314.64 for the term of the loan.

Water Line Extension Debenture was issued May 30, 2011, with a maturity date of May 30, 2026. Yearly payments consist of \$50,752 plus interest yearly with a final principal payment of \$304,518 plus interest. Total borrowing consists of principal \$1,015,046 plus \$421,446.40 in interest for a total of \$1,436,492.40 for the term of the loan.

Debenture payments for the next three fiscal years are as follows:

2024/25 Principal \$80,014 plus interest \$18,251.75

2025/26 Principal \$50,752 plus interest of \$15,147.47

2026/27 Principal \$304,518 plus interest of \$6,999.35

The Water Utility is projecting an Accumulated Surplus of \$502,464 at the end of 2025/26 fiscal year. We have budgeted the Balloon payment for the Water Line Extension Debenture to come out of the Water Operating Budget in 2026/24 which would leave a deficit of \$193,619 for the fiscal year but an Accumulated Surplus of \$308,845 for the fiscal year. This option will be looked at over the next two years.

MOTION – THAT COUNCIL APPROVE THE 2024/25 WATER UTILITY BUDGET AS PRESENTED

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EXECUTIVE SUMMARY

SUMMARY OF REVENUE AND EXPENDITURE

	2023/24 Budget	2023/24 Projection	2024/25 Projection	2025/26 Projection	2026/27 Projection
11000 Metered Sales	\$459,600	\$473,544	\$468,200	\$475,200	\$486,200
12000 Flat rate sales	\$48,588	\$48,590	\$48,590	\$48,590	\$48,590
13000 Public fire protection	\$133,483	\$133,483	\$133,483	\$133,483	\$133,483
14000 Sprinkler service	\$2,550	\$2,550	\$2,550	\$2,550	\$2,550
15000 Sales to other utilities	\$0	\$0	\$0	\$0	\$0
16000 Forfeited discounts	\$3,500	\$4,176	\$2,500	\$2,500	\$2,500
17000 Other operating revenue	\$0	\$0	\$0	\$0	\$0
	\$647,721	\$662,343	\$655,323	\$662,323	\$673,323

Operating Expenditures					
21000 Source of supply	\$603	\$935	\$603	\$603	\$603
22000 Pumping	\$34,439	\$43,150	\$47,113	\$48,591	\$50,118
23000 Water treatment	\$207,804	\$244,069	\$237,322	\$240,834	\$245,187
24000 Transmission and distribution	\$51,816	\$38,257	\$42,958	\$45,273	\$44,726
25000 Administration and general	\$105,647	\$107,465	\$105,528	\$104,585	\$108,136
26000 Depreciation	\$125,000	\$120,000	\$122,000	\$125,000	\$127,000
27000 Taxes	\$1,235	\$1,252	\$1,122	\$1,125	\$1,125
28000 Other operating expenditures	\$0	\$0	\$0	\$0	\$0
	\$526,544	\$555,128	\$556,646	\$566,011	\$576,895

Operating profit/(deficit)	\$121,177	\$107,215	\$98,677	\$96,312	\$96,428
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18000 Non-operating revenue	\$13,000	\$26,961	\$25,000	\$24,000	\$23,000
29000 Non-operating expenditures	\$128,147	\$129,758	\$120,706	\$75,379	\$313,047

	2023/24 Budget	2023/24 Projection	2024/25 Projection	2025/26 Projection	2026/27 Projection
Excess of revenue over expenditure	\$6,030	\$4,418	\$2,971	\$44,933	-\$193,619
Surplus (deficit), beginning of year	\$444,112	\$450,142	\$454,560	\$457,531	\$502,464
Surplus (deficit), end of year	\$450,142	\$454,560	\$457,531	\$502,464	\$308,845

DETAILS

10000 - 17999 OPERATING REVENUE

	2023/24 Budget	2023/24 Projection	2024/25 Budget	2025/26 Projection	2026/27 Projection
11000 METERED SALES					
11100 Residential	193,800	195,429	196,000	202,000	212,000
11200 Commercial	196,300	211,463	205,000	205,000	205,000
11300 Industrial	65,000	60,469	61,000	62,000	63,000
11400 Vessels and/or Bulk Water	4,500	6,183	6,200	6,200	6,200
	<u>459,600</u>	<u>473,544</u>	<u>468,200</u>	<u>475,200</u>	<u>486,200</u>
12000 FLAT RATE SALES					
12100 Residential	48,588	48,590	48,590	48,590	48,590
12200 Commercial/ Institutional					
12300 Industrial	0	0	0	0	0
	<u>48,588</u>	<u>48,590</u>	<u>48,590</u>	<u>48,590</u>	<u>48,590</u>
13000 FIRE PROTECTION					
13100 Public fire protection	83,565	83,565	83,565	83,565	83,565
13200 Private fire protection (other municipalities)	47,518	47,518	47,518	47,518	47,518
13300 Private fire protection (other)	2,400	2,400	2,400	2,400	2,400
	<u>133,483</u>	<u>133,483</u>	<u>133,483</u>	<u>133,483</u>	<u>133,483</u>
14000 SPRINKLER SERVICE	2,550	2,550	2,550	2,550	2,550
15000 SALES TO OTHER UTILITIES					
16000 FORFEITED DISCOUNTS	3,500	4,176	2,500	2,500	2,500
17000 OTHER OPERATING REVENUE					
17100 Special services					
17200 Rent					
TOTAL	<u>647,721</u>	<u>662,343</u>	<u>655,323</u>	<u>662,323</u>	<u>673,323</u>
18000 NON-OPERATING REVENUE					
18100 Jobbing and contract	3,000	3,072	3,000	3,000	3,000
18200 Interest	10,000	23,889	22,000	21,000	20,000
18300 Grants					

DRAFT 2023/24 TOWN OF SHELBURNE WATER UTILITY BUDGET

18400 Appropriatio from other funds
 18600 Transfer from depreciation fund
 18900 Other

TOTAL

	0	0	0	0	0
	0	0	0	0	0
	13,000	26,961	25,000	24,000	23,000

OPERATING EXPENSES

21000 SOURCE OF SUPPLY

	2023/24 Projection	2023/24 Projection	2024/25 Budget	2025/26 Projection	2026/27 Projection
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21100 SUPERVISION AND ENGINEERING
 21200 OPERATION LABOUR
 21300 OPERATION SUPPLIES AND EXPENSES

21400 MAINTENANCE OF PLANT

21410 Reservoirs
 21420 Intakes
 21430 Wells and Springs
 21440 Other

	0	0	0	0	0

21550 WATER PURCHASED

21600 RENTS

21900 OTHER

TOTAL

	603	935	603	603	603

22000 PUMPING

	2023/24 Projection	2023/24 Projection	2024/25 Budget	2025/26 Projection	2026/27 Projection
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22100 SUPERVISION AND ENGINEERING

22200 OPERATION LABOUR

22300 FUEL

22400 POWER PURCHASED

	1,000	1,799	1,000	1,050	1,103
	29,939	39,825	42,613	43,891	45,208

DRAFT 2023/24 TOWN OF SHELBURNE WATER UTILITY BUDGET

22500	MAINTENANCE OF PLANT	0	0	0	0
22510	Structures and Improvements	500	2	500	500
22520	Pumping Equipment	3,000	1,524	3,000	3,308
		3,500	1,526	3,500	3,808

22600	RENT				
22900	OTHER				
	TOTAL	34,439	43,150	47,113	48,591
					50,118

23000 WATER TREATMENT

23100	SUPERVISION AND ENGINEERING	108,170	119,053	100,422	105,600	108,250
23200	OPERATION LABOUR					
23300	OPERATION SUPPLIES AND EXPENSES	85,134	110,706	118,500	116,300	117,463
23310	Chemicals and Additives	600	3,358	600	600	600
23390	Other	85,734	114,064	119,100	116,900	118,063

23400	MAINTENANCE OF PLANT	13,900	9,911	16,000	16,480	16,974
23500	RENT					
23900	OTHER	0	1,041	1,800	1,854	1,900
	TOTAL	207,804	244,069	237,322	240,834	245,187

24000 TRANSMISSION AND DISTRIBUTION

24100	SUPERVISION AND ENGINEERING					
24200	MAPS AND RECORDS					
24300	OPERATION LABOUR	13,766	13,766	17,618	18,058	18,510
24310	Mains					
24320	Meters	13,766	13,766	17,618	18,058	18,510

DRAFT 2023/24 TOWN OF SHELBURNE WATER UTILITY BUDGET

24400	MAINTENANCE OF PLANT						
24410	Reservoirs	4,400	4,983	3,190	5,335	3,600	
24420	Structures and Improvements						
24430	Mains	20,000	9,514	9,000	10,000	10,000	
24440	Other	6,000	2,739	5,500	4,000	4,500	
		30,400	17,236	17,690	19,335	18,100	
24500	RENT						
24600	STORE EXPENSES						
24700	TRANSPORTATION	7,650	7,255	7,650	7,880	8,116	
24800	SHOP EXPENSES						
24900	OTHER						
	TOTAL	51,816	38,257	42,958	45,273	44,726	
	25000 ADMINISTRATION AND GENERAL						
		2023/24	2023/24	2024/25	2025/26	2026/27	
		Projection	Projection	Projection	Projection	Projection	
25100	CONSUMER ACCOUNTING AND COLLECTING						
25110	Supervision	4,550	0	4,800	3,080	3,175	
25120	Meter reading	39,175	39,175	45,537	46,675	47,842	
25130	Billing and accounting						
25140	Collection	2,000	6,529	2,000	2,000	2,000	
25150	Uncollectable accounts						
25190	Other	45,725	45,704	52,337	51,755	53,017	
25200	SALARIES						
25210	Officers and executives						
25220	Allocated						
25290	Others						
25300	GENERAL OFFICE EXPENSES						
25310	General Officers						

DRAFT 2023/24 TOWN OF SHELBURNE WATER UTILITY BUDGET

25320	General Office						
	Employees						
25330	General Office	5,250	5,857	7,190	6,250	6,350	
25340	Allocated						
		5,250	5,857	7,190	6,250	6,350	
25400	PROFESSIONAL FEES						
25410	Auditors	5,513	5,475	5,749	6,065	6,380	
25420	Legal						
25430	Special services	14,100	14,079	0			
		19,613	19,554	5,749	6,065	6,380	
25500	REGULATORY EXPENSES	1,640	1,690	1,740	1,790	1,840	
25600	INSURANCE	16,169	16,769	17,775	19,019	20,351	
25700	RENTS OF GENERAL PROPERTY						
25800	MAINTENANCE OF GENERAL PROPERTY						
25900	OTHER	17,250	17,891	20,737	19,705	20,198	
	TOTAL	105,647	107,465	105,528	104,585	108,136	
26000	DEPRECIATION	125,000	120,000	122,000	125,000	127,000	
27000	TAXES	1,235	1,252	1,122	1,125	1,125	
	29000 NON-OPERATING EXPENDITURES						
		2023/24 Projection	2023/24 Projection	2024/25 Projection	2025/26 Projection	2026/27 Projection	
29100	REDEMPTION OF LONG TERM DEBT						
29110	Principal	80,019	80,019	80,014	50,752	304,518	
29120	Sinking fund Operating Loan						
		80,019	80,019	80,014	50,752	304,518	
29200	INTEREST ON LONG TERM DEBT	22,128	22,129	18,252	15,147	6,999	
29300	OTHER INTEREST						
29310	Bank charges		1,060		1,480	1,530	
29320	Short term borrowings						
29330	Interfund						

DRAFT 2023/24 TOWN OF SHELBURNE WATER UTILITY BUDGET

	<u>0</u>	<u>0</u>	<u>1,440</u>	<u>1,480</u>	<u>1,530</u>
29400 CAPITAL EXPENDITURES OUT OF OPERATIONS	<u>26,000</u>	<u>27,610</u>	<u>21,000</u>	<u>8,000</u>	<u>0</u>
29900 OTHER		<u>0</u>		<u>0</u>	<u>0</u>
TOTAL	<u>128,147</u>	<u>129,758</u>	<u>120,706</u>	<u>75,379</u>	<u>313,047</u>

194 Rodney Street Proposed Land Use Bylaw Amendments – R-M to R-1

June 11, 2024

General Overview

The Town has received an application for amendment to the Land Use Bylaw (LUB) for 194 Rodney St (PID 82539990) to increase the maximum allowable number on the site from 1 unit to 6 units.

First Reading of the proposed amendments was completed on May 21, 2024.

Background

Site description

The lot is 80 feet by 240 feet, roughly 19,200 square feet or roughly 0.4 acres. The lot has been cleared and there is an existing incomplete foundation.

The site is located at the end of Rodney Street. The lot connects to Elliot Street as well, but there is a grade difference of several feet, and an important stormwater culvert that provides drainage for the cemetery area.



Document #	D24-368
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Committee	<input type="checkbox"/>
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Figure 1 – Satellite Imagery of 194 Rodney Street

To the northeast of the site is Elliot Street which borders the southern edge of Pine Grove cemetery. To the southeast there is a drainage ditch and unopened portion of Victoria Street. To the southwest across Rodney there is a vacant lot. To the northwest there is an existing single unit dwelling. All lots in the area, except those to the north of the site (On the east side of Rodney Street, between Rodney and Elliot Steets) are currently zoned General Residential R-1. The east side of Rodney between Rodney and Elliot Steets is zoned Residential – Mobile Home (R-M), as the site is currently.

Proposal Description

The proposal is for 6 units in a single building two storeys tall, with independent access to each unit from the southeast face. There would be six or more parking stalls to meet the minimum requirements in the LUB. The proposal considers a connection to Elliot Street, however there is a difference in elevation between the site and Elliot Street. As well, there is an important stormwater ditch that runs parallel to Elliot Street.



Figure 2 - Current Zoning

The proposal would require a sewer connection and there is a sewer main under Rodney Street. Water would be provided on-site.

Analysis

Under the Town’s *Municipal Planning Strategy* (MPS) Policy 44, there are a number of matters Council shall have regard for when considering amendments to the LUB. Below is a chart examining the proposed development in relation to existing relevant MPS policies, primary policy 44, which states what Council shall have regard for when considering LUB amendments.

MPS Policy Chart	
Criteria	Proposed Development
<p>Policy 44 When considering amendments to the Land Use By-law, Council shall have regard for the following matters: (a) that the proposed amendment is in conformance with the intent of the policies of this Strategy;</p>	
<p>Policy 3 - It shall be the intention of Council to encourage the use of the existing sanitary sewer system</p>	The proposed development will use the existing sanitary sewer system
<p>Policy 14 - It is the intention of Council that within the R-1 Residential General Zone a variety of housing types will be permitted (subject to Policies 17, 18, 19, 20 and 21)</p>	The proposed development represents variety in the house type as the area is predominately single unit dwellings. Policy 18 restricts density to 6 units or less unless fronting onto certain streets.
<p>Policy 42- With the exception of the Historic Waterfront Designation, areas immediately adjacent to a given land use designation on the Generalized Future Land use Map (Map 1) may be considered for a zoning amendment to enable a use permitted in that given designation without requiring an amendment to this strategy provided that the intent of all other policies of the strategy are satisfied.</p>	While an amendment to the Generalized Future Land Use Map is not required, the proposed development is adjacent to similarly zoned land, in keeping with the intent of this policy.
<p>(b) that the proposed development that would result from the amendment is not premature or inappropriate by reason of:</p>	
<p>(i) the financial capability of the town to absorb any costs related to the development,</p>	The cost to the Town related to the development as proposed is minimal.
<p>(ii) the adequacy of the sewer and water services to support the proposed development,</p>	There is a sewer with capacity adjacent to the property, and the landowner will provide their own water on-site. There are important stormwater ditches adjacent to the site along Elliot Street and the

	unopened Victoria Street. This ditch provides drainage for the Cemetery and adjoining properties.
(iii) the adequacy and proximity of school, recreation, and other community facilities,	There are nearby recreational facilities at Albert Acker Memorial Field. Nearby Schools of Hillcrest Academy and Shelburne Region High School are close by (800m and 1.5 km respectively).
(iv) the adequacy of the road network in, adjacent to, or leading to the development,	The road network is adequate, with the lot fronting onto Rodney, with potential access to Elliot Street, to the rear of the lot, as well. Occasional traffic/parking concerns have been noted in relation to the use of Albert Acker Memorial Field on Elliot St have been noted by local residents.
(v) the potential for damage or destruction of historical buildings and sites, and	There are no historical buildings on the site.
(vi) its bulk and scale in relation to the existing surrounding development.	The scale of the proposed development is larger than the surrounding development and the number of units will be higher than those nearby. The view of the bulk of the building will be limited as the building side will face Rodney St. the site and area also has significant vegetation to help reduce the visual bulk of the building. A slightly larger building in the area is the Lions Club House, although it is not a residential use and single storey.

Further, the proposed development complies with the LUBs minimum lot standards regarding size, lot coverage and setbacks (schedule D1).

Proposed Amendments

Amend the Land Use Bylaw Zoning Map (schedule B) for PID 82539990 changing the land use from Residential Mobile Home (R-M) to Residential General (R-1).

Recommendation

THAT Council approve second reading to **amend** the Land Use Bylaw Zoning Map (schedule B) for PID 82539990 changing the land use from Residential Mobile Home (R-M) to Residential General (R-1).



TOWN OF SHELBURNE
ALTERNATIVE VOTING
BYLAW

BYLAW

Document #	D24-370
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Date	June 10, 24
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BE IT ENACTED by the Council of the Town of Shelburne, under the authority of Section 146A of the *Municipal Elections Act*, 1989 R.S.N.S., c.300, as amended, as follows:

1. SHORT TITLE

This By-law shall be known and cited as the "Alternative Voting Bylaw".

2. DEFINITIONS

- a) "**Act**" means the *Municipal Elections Act*, 1989 R.S.N.S., c.300, as amended;
- b) "**Advance Polling Day**" means:
 - a) the Tuesday immediately preceding ordinary polling day; and
 - b) one other day fixed by the Council that is either Thursday, the ninth (9th) day before ordinary polling day or Saturday, the seventh (7th) day before ordinary polling day;
- c) "**Alternative Polling Days**" means any hours and dates fixed by a resolution of Shelburne Town Council for alternative voting;
- d) "**Alternative Voting**" means voting by telephone or via the internet and includes a combination of telephone and internet voting;
- e) "**Ballot Box**" means a computer database in the system where cast internet ballots and telephone ballots are put;
- f) "**Candidate**" means a person who has been nominated as a candidate pursuant to the *Act*;
- g) "**Council**" means the Council for the Town of Shelburne;
- h) "**Deputy Returning Officer**" means a person appointed under the *Act* to preside over a polling station;
- i) "**Education Act**" means the *Education (CSAP) Act*, Chapter 1 of the *Acts of 1995-96* as amended;
- j) "**Election**" means an election held pursuant to the *Act*, including a CSAP School Board election, a special election, and a plebiscite;
- k) "**Elector**" means a person:
 - a) Qualified to vote pursuant to the *Act* and the *Education (CSAP) Act*, and
 - b) Entitled to vote for an election pursuant to Section 7 of this By-law;
- l) "**Amended List of Electors**" means the amended List of Electors completed pursuant to Section 38 the *Act*;
- m) "**Friend Voter**" means a friend who votes for an elector pursuant to Section 11 of this By-law and pursuant to the *Act*;
- n) "**Internet Ballot**" means an image of a ballot on a computer screen including all the candidate choices available to an elector and the spaces in which an elector marks a vote;

BYLAW

- o) **"Town"** means the Town of Shelburne;
- p) **"Normal Business Hours"** means the normal hours which the Town Office is opened as posted on the Town's website.
- q) **"Ordinary Polling Day"** means the third (3rd) Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- r) **"PIN"** means the Personal Identification Number issued to an elector for alternative voting on alternative polling days;
- s) **"Plebiscite"** – means a plebiscite directed to be held by the Council pursuant to section 53 of the *Municipal Government Act*.
- t) **"Proxy Voter"** means an elector who votes by a proxy pursuant to the *Act*;
- u) **"Regular Election Year"** means 2020 and every fourth (4th) year thereafter;
- v) **"Rejected Ballot"** means an internet or telephone ballot that has not been marked for any candidate;
- w) **"Returning Officer"** means a Returning Officer and/or an assistant officer appointed pursuant to the *Act*;
- x) **"Seal"** means to secure the ballot box and prevent internet and telephone ballots from being cast;
- y) **"Special Election"** means a special election held pursuant to the *Act*, including a special election for a vacancy on the Conseil Scholaire Acadien Provincial (CSAP) School Board;
- z) **"Spoiled ballot"** means an internet or telephone ballot that is accepted by the elector that is:
 - a) Not marked for any candidate in a race; or
 - b) Is marked by an elector indicating a refusal to cast a vote for any candidate in a race;
- aa) **"System"** means the technology, including software, that:
 - a) records and counts votes;
 - b) processes and stores the results of alternative voting during alternative polling days;
- bb) **"System Elections Officer"** (Auditor) means:
 - a) A person who maintains, monitors, or audits the system; and
 - b) A person who has access to the system beyond the access necessary to vote by alternative voting;
- cc) **"Telephone Ballot"** means:
 - a) An audio set of instructions which describes the voting choices available to an elector; and
 - b) The marking of a selection by an elector by depressing the number on a touch tone keypad.

3. ALTERNATIVE VOTING PERMITTED

- 1) Council may, by resolution, provide that voting by a telephone and a personal computing device via internet shall be the only means of alternative voting.
- 2) Subject to this By-law, alternative voting shall be permitted on advance polling days pursuant to this By-law and the *Act*.
- 3) The Town may elect to use alternative voting on ordinary polling day and make available the equipment to use alternative voting at any polling station.

4. NOTIFICATION OF ELECTORS

- 1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the Town.
 - a. The notice of alternative polling days shall:
 - i. Identify the alternative polling days for alternative voting; and
 - ii. Inform the elector that telephone voting and internet voting is permitted during alternative polling days.
 - b. The notice may include any other information the Returning Officer deems necessary.
- 2) Council may, by resolution, deem alternative voting (telephone, internet) on ordinary polling day.
 - a. The Returning Officer shall cause notice of the ordinary polling day to be published as per the *Act*.
 - b. In addition to the requirements of the *Act*, the published notice of the ordinary polling day shall inform the electors that telephone voting and internet voting is authorized during the ordinary polling day.
 - c. The notice may include any other information the Returning Officer deems necessary to comply with the *Act* or this By-law.

5. FORM OF TELEPHONE AND INTERNET BALLOTS

- 1) A telephone ballot or internet ballot shall:
 - a. identify by the title "Election for Mayor"; or "Election for Councillor"; or "Election for CSAP School Board Member", as the case may be;
 - b. identify the names, or names by which they are commonly known, of the candidates, with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names;
 - c. warn the elector to "vote for one candidate only" or "vote for up to" (the number of candidates to be elected) candidates", as the case may be;
- 2) No title, honour, decoration or degree shall be included with a candidate's name on an internet ballot or telephone ballot.

6. OATH

Any Oath that is authorized or required shall be made in the form required by the *Act*.

7. ELECTORS

- 1) No person shall vote by alternative voting unless:
 - a) the person's name appears on the Amended List of Electors on the date chosen by Council for the amended list of electors to be completed pursuant to section 38 of the *Act*; or
 - b) the person's name does not appear on the Amended List of Electors and:
 - i) the person appears before the Returning Officer during normal business hours during alternative polling days; and
 - ii) the person swears an oath in the form prescribed by the *Act*.
- 3) As per section 36 of the *Act*, a person may apply for an amendment to the Preliminary List of Electors by telephone after the first notice of the Preliminary List of Electors is given pursuant to section 34 of the *Act* and such amendments may be made by a Revising Officer, the Returning Officer, or the Assistant Returning Officer in accordance with subsection 3.
- 4) Notwithstanding subsection 36(2) of the *Act*, an application by telephone to be added to any list of electors shall be sufficiently detailed to allow the Revising Officer or Returning Officer to determine whether the information can be verified from other sources available to the Revising Officer or Returning Officer and, if the Revising Officer or Returning Officer determines that this is not possible, then the applicant shall be required to personally appear, at the location and time determined by the Revising Officer or Returning Officer, and make an application accompanied by a declaration under oath administered by the Revising Officer or the Returning Officer of the facts that support the application.

8. POLLING STATION FOR ALTERNATIVE VOTING

- 1) If Council decides that voting by a telephone or by a personal computing device are the only means of voting in an election, the Returning Officer shall establish at least one polling station for alternative voting and each polling station established shall be equipped with at least one device that is capable of casting either an internet ballot or telephone ballot.
- 2) The polling station for alternative voting shall be:
 - a) available for electors who are voting with friend voters and for any other electors; and
 - b) open on advance polling days and the ordinary polling day; and
 - c) on such other days and times as decided by the Returning Officer.

9. POLLING LOCATIONS FOR ALTERNATIVE VOTING

- 1) In addition to establishing at least one polling station, the Returning Officer may establish one or more polling locations for alternative voting during alternative polling days.
- 2) A polling location may be at such places and during such times as may be determined by the Returning Officer and such location shall be equipped with at least one device that is capable of casting either an internet ballot or telephone ballot.
- 3) A polling location established by the Returning Officer is not a polling station within the meaning of the *Act*.

10. PROXY VOTING

A proxy voter shall not vote for an elector by alternative voting.

11. FRIEND VOTING

- 1) A friend voter shall only vote for an elector by alternative voting if
 - a) An elector is unable to vote because:
 - a) The elector is blind;
 - b) The elector cannot read; or
 - c) The elector has a physical disability that prevents them from voting by alternative voting.
 - b) The elector and the friend appear, in person, before the Returning Officer and take the prescribed oaths.
- 2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- 3) The elector shall take an oath in the prescribed form to this By-law providing that they are incapable of voting without assistance.
- 4) The friend of the elector shall take an oath in the prescribed form, in person before the Returning Officer that:
 - a) The friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent or spouse of the friend of the elector;
 - b) The friend will mark the ballot as requested by the elector; and
 - c) The friend will keep secret the choice of the elector.
- 5) The Returning Officer shall, in accordance with section 86 of the *Act*, enter in a record book:
 - a) the form type used in accordance with the *Act*;
 - b) the name of the friend and elector; and
 - c) the date the oaths were taken.

12. SYSTEM ELECTIONS OFFICER

- 1) A System Elections Officer shall have access to the system prior to the commencement of alternative voting to verify the count for each candidate is zero.
- 2) Notwithstanding the day and time set for alternative voting, alternative voting shall not commence until the counts for each of the candidates is zero.
- 3) A System Elections Officer shall comply with the procedures and forms established by the Returning Officer pursuant to subsection 146A(4) of the *Act*.

13. VOTING

- 1) The electronic system shall put internet and telephone ballots cast by an elector in the system's electronic ballot box
- 2) The system shall put spoiled ballots in the ballot box.

14. SEAL

- 1) Alternative voting closes at the end of ordinary polling day. The system shall seal the ballot box at the close of ordinary polling day.
- 2) The Returning Officer has the authorization to "unseal" the ballot box and print out the tabulated results of the alternative voting.

15. VOTER'S LIST

The Town shall have a "live" voter's list available at the polling stations during the advance and ordinary polling days.

16. COUNTING

- 1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative voting days.
- 2) In counting the telephone and internet ballots in the ballot box, the system shall count spoiled ballots but shall not count rejected ballots.
- 3) In counting the telephone and internet ballots, the system shall tally the number of spoiled ballots and the tally shall be delivered to the Returning Officer.

17. RECOUNT BY SYSTEM

- 1) In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.
- 2) If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.
- 3) If the initial count and the regenerated count do not match, the Returning Officer shall:
 - a) Direct one final count regenerated by the system of the votes cast by alternative voting; and
 - b) Attend while the final count is being regenerated.
- 4) The regenerated final count, pursuant to subsection (1), shall be the final count of the votes by alternative voting.

18. RECOUNT BY JUDGE

- 1) For a recount, the judge shall only consider the final count by the system, as determined by Section 17, of the total number of votes that were cast by alternative voting for each candidate.
- 2) The final count by the system, as determined by Section 17, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non-alternative voting.

19. SECRECY

- 1) An Election Officer and System Election Officer shall maintain and aid in maintaining the secrecy of the voting.
- 2) Every person in attendance at a polling station, or at the counting of votes, shall maintain and aid in maintain the secrecy of the voting.

20. OTHER METHODS OF VOTING

- 1) If voting via the internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each advance polling day and on ordinary polling day.
- 2) Council may, by resolution, provide that voting by a telephone and by a personal computing device shall be the only means of voting for an election.

21. SEVERABILITY

If a court of competent jurisdiction should declare any section, or part of a section, of this By-law to be invalid, such section, or part of a section, shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law as it is, hereby, declared that the remainder of the By-law be valid and shall remain in force.

22. PROHIBITIONS

- 1) No person shall:
 - a) use another person's PIN (Personal Identification Number) to vote or access the system unless the person is a friend voter;
 - b) take, seize, or deprive an elector of their PIN; or
 - c) sell, gift, transfer, assign, or purchase a PIN.
- 2) No person shall:
 - a) Interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
 - b) Interfere or attempt to interfere with alternative voting; or
 - c) Attempt to ascertain the name of the candidate for whom an elector is about to vote for or has voted for.
- 3) No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

23. OFFENCES & PENALTIES

- 1) Any person who:
 - a) Violates any provision of this By-law; or
 - b) Permits anything to be done in violation of any provision of this By-law; is guilty of an offence.
- 2) A person who contravenes subsection (1) is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand dollars (\$5,000) and not more than ten thousand dollars (\$10,000) and in default of payment, to imprisonment for up to a maximum term of two (2) years less a day, or both.
- 3) In determining a penalty under subsection (2), a judge shall take into account:
 - a) The number of votes attempted to be interfered with;
 - b) The number of votes interfered with; and
 - c) Any potential interference with the outcome of an election.
- 4) Pursuant to Section 146A of the *Act*:
 - a) The limitation period for the prosecution of an offence under this By-law is two (2) years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and

BYLAW

b) The *Remission of Penalties Act*, 1989 SNS c. 397, as amended, does not apply to a pecuniary penalty imposed by this By-law.

24. REPEAL & SUPERSEDE

This bylaw shall repeal and supersede any and all previous regulations and / or bylaws held by the Town of Shelburne regarding Alternative Voting.

THIS IS TO CERTIFY that the By-Law of which the foregoing is a true copy and was duly passed at duly called meeting of the Council of the Town of Shelburne, held on the __ day of _____, 2024.

GIVEN under the hand of the Clerk and the corporate seal of the said Town this __ day of _____, 2024.

Mayor, Harold Locke

CAO, Sarah Mattatall



Town of Shelburne
 Staff Report to Council
 June 17, 2024
Waste Disposal By-Law

Document # D24-371	
Rec'd by [Signature]	
Date June 14/24	
COPIES TO:	
Council	✓
Agenda	✓
Committee	

General Overview:

This staff report was prepared to notify Council of the changes made by the Region of Queens (ROQ) regarding their curbside pickup. ROQ currently accepts the curbside waste generated within the Town of Shelburne. These changes necessitate an update to our Waste Disposal By-Law to reflect the new curbside waste sorting guidelines.

Background:

For many years, other areas of the province have been operating under a two-bag recycling system, which mandates the separation of paper products from other metals and plastics. Furthermore, the waste disposal industry is shifting towards the use of all clear bags, with Shelburne Shared Services being one of the few remaining entities that still permits mixed recyclables and solid-colored waste bags for curbside collection.

Analysis:

It is essential for the three administrative units under the Shelburne Shared Services waste contract—the Municipality of the District of Shelburne, the Town of Shelburne, and the Town of Lockeport—to adopt a uniform Solid Waste By-Law. This will ensure consistent sorting and pickup rules and regulations for all residents, comply with our service providers' updated rules, and help reduce complaints related to the current discrepancies in waste management rules across municipal and town boundaries.

The first reading of the Solid Waste By-Law is scheduled for the Council meeting held on July 2nd, 2024, the second and final reading can be scheduled for the September 3rd, 2024 Council meeting or a later date. This timeline adheres to the required public advertisement period as per the Municipal Government Act (MGA) and allows for coordination with our shared services partners.

The attached By-Law highlights the following amendments:

- Strikethrough: Indicates removed wording.
- Highlighted: Indicates added wording.
- The order of some articles has been adjusted, although the content remains unchanged.
- Changes to format and numbering have been made for clarity.

Applicable Legislation:

MGA PART XIII

Attachments

Waste Disposal By-Law
Proposed Solid Waste By-Law

Recommendation

THAT Council of the Town of Shelburne give Notice of its Intention to Repeal the existing Waste Disposal By-Law and replace it with the Solid Waste By-Law and conduct First Reading of same; and further, that it gives notice of Second & Final Reading to consider the repeal of the Waste Disposal By-Law and approval and adoption of the Solid Waste By-Law at its meeting of September 3rd, 2024.

Respectfully Submitted,

*Sarah Mattatall
Chief Administrative Officer*



TOWN OF SHELburne

WASTE DISPOSAL BY-LAW

BYLAW

Document #	D24-371
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Date	
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Agenda	
Committee	

BE IT RESOLVED that the Council of the Town of Shelburne, under the authority vested in it by the *Municipal Government Act*, S.N.S. 1998, c. 18, wishes to adopt the following by-law:

A BY-LAW TO PROVIDE FOR THE PROPER SEPARATION, STORAGE, PLACEMENT FOR PICK-UP, COLLECTION AND DISPOSAL OF ALL TYPES OF SOLID WASTE RESOURCES IN THE TOWN OF SHELburne

SHORT TITLE: 't'

1. This By-law shall be known and may be cited as the "Waste Disposal By-law".

DEFINITIONS:

2. In this By-law:
 - a) **"blue or clear bag recyclables"** means glass bottles, glass jars, cans (whether made of aluminium, steel or tin), polyethylene plastic bottles, plastic containers, plastic bags, milk and juice cartons, tetra packs, mini-sip containers and other items as designated by Council from time to time;
 - b) **"boxboard"** means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items;
 - c) **"bulky items"** means large items originating from a premises used as a residence and includes, but is not limited to: vacuum cleaners, upholstered furniture, mattresses, box springs, plastic barrels, and porcelain bathroom items such as toilets and sinks;
 - d) **"collectible waste"** means organic materials, recyclable materials, and residual waste;
 - e) **"construction or demolition materials"** means left-over material generated as a result of any form of construction or renovation and materials generated from demolition activity including but not limited to: asphalt, brick, mortar, polystyrene or fiberglass insulation, cellulose, drywall, plaster, shingles, metal and scrap wood whether or not such other materials are regulated by the Province of Nova Scotia and whether or not such material meets the definition of "C & D Debris" in the N.S.E. 1997 Guidelines for same;

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- f) **"Council" or "council"** means the Council of the Town of Shelburne;
- g) **"dispose"** means any form of disposal whether temporary or permanent including the following: dump, deposit, store, place, or bury regardless of whether the material in question is dumped, deposited, stored or placed in a bin, box, other container or other containment method;
- h) **"dwelling"** means a building, or a unit in a building, occupied or intended to be occupied as a home, residence or sleeping place by one or more persons but does not include a hotel, motel, guesthouse or inn;
- i) **"eligible premises"** means all properties within the Town with the exception of certain restrictions placed on properties located on private roads as addressed elsewhere in this by-law;
- j) **"fiber recyclables"** means mixed paper, corrugated cardboard, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons or other similar items as are designated by Council from time to time;
- k) **"food waste"** means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items;
- l) **"household hazardous waste"** means any corrosive, flammable or poisonous material or substance such as oil and oil products, radioactive materials, acids, poisons, insecticides or other poisons used for agricultural purposes or for rodent control, any substance or chemical highly lethal to mammalian or aquatic life and any substance or chemical dangerous to the environment – including but not limited to: batteries, left-over liquid paint, left-over corrosive cleaners, pesticides or herbicides, gasoline, fuel oil and used motor oil, solvents and thinners, pharmaceuticals, drugs and needles, aerosol cans which contain hazardous substances, BBQ propane Tanks and small propane cylinders or canisters such as those used for camp stoves or propane torches;
- m) **"leaf and yard waste"** means grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items;
- n) **"Municipal collection"** means the carrying out by, or on behalf of, the Town of scheduled collection of collectible waste from eligible premises;

BYLAW

- o) "**Town**" or "town " means the Town of Shelburne;
- p) "**non-collectible waste**" means all material other than collectible waste and, without limiting the generality of the foregoing, includes:
- i. highly combustible or explosive materials including, without limiting, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;
 - ii. materials that are considered pathogenic or biomedical including, without limiting, dressings, bandages or other infected materials or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
 - iii. carcasses or parts of any animal except food waste;
 - iv. waste listed or characterized as hazardous by any Federal or Provincial law;
 - v. transient waste;
 - vi. liquid waste or material that has attained a fluid consistency and has not been drained;
 - vii. soil, rock and stumps;
 - viii. construction or demolition materials;
 - ix. wood, wooden pallets, wooden barrels and wooden furniture;
 - x. septic tank pumpings, raw sewage or industrial sludge;
 - xi. radioactive materials;
 - xii. industrial waste from factories or manufacturing processes;
 - xiii. manure, kennel waste, excreta, fish processing waste;
 - xiv. lead-acid automotive batteries and propane tanks;
 - xv. waste which has been placed for municipal collection but not in accordance with the provisions of this by-law; and materials

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banned from landfill disposal by the N.S.E. *Regulations Respecting Solid Waste-Resource Management*, November, 1995, as amended –other than recyclable materials or organic materials from eligible premises.

- q) "**N.S.E.**" means Nova Scotia Environment or its successor provincial department should there be a name change;
- r) "**occupant**" means any person who, in addition to or instead of the owner, resides in or is the lessee of, whether by way of verbal or written lease or other arrangement, a building or on a property located within the Town and includes any assignee or legal representative of same;
- s) "**organic materials**" means food waste, leaf and yard waste, boxboard, soiled and non-recyclable paper, ashes or soot, branches and bushes, bare and natural Christmas trees and other material of plant or animal origin as designated by Council from time to time;
- t) "**owner**" refers to the owner of property and includes a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building and, in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building; and, in the absence of proof to the contrary, the person assessed for the property;
- u) "**recyclable materials**" means fiber recyclables, blue or clear bag recyclables and other materials of a recyclable nature;
- v) "**residual waste**" means the following:
 - i) broken bottles, crockery and glassware – subject to the restrictions imposed elsewhere in this by-law;
 - ii) floor sweepings, pet litter, light bulbs, used disposable diapers, candy wrappers, discarded clothing and furnishings, broken toys, mats and small carpets, non-recyclable plastic and metal, non-recyclable packaging including Styrofoam™, non-repairable household goods and other household waste; and
 - iii) bulky items.
- w) "**soiled and non-recyclable paper**" means napkins, paper towel & fast food

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wrappers, wax paper, file folders, yellow & brown envelopes, wrapping paper, soiled pizza boxes, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items;

- x) **"solid waste"** means collectible waste, non-collectible waste, special waste, construction or demolition materials, household hazardous waste, transient waste and any other waste or discarded tangible personal property;
- y) **"special waste"** means metals and white goods;
- z) **"transfer station"** means the Construction and Demolition Materials Transfer Station operated by the Town ;
 - i. "transient waste" means waste material generated outside the Town ;
 - ii. "unit" means a self-contained portion of a building occupied as a separate residence;
 - iii. "white goods" means any large household appliance including but not limited to stoves, dishwashers, washers, dryers, hot water heaters, refrigerators, freezers, dehumidifiers and air conditioners.

PACKAGING FOR MUNICIPAL COLLECTION:

- 3. No person shall place, or caused to be placed, organic materials out for municipal collection in a container other than a green cart or other very similar plastic container.
- 4. No person shall place, or caused to be placed, recyclable materials out for municipal collection in a container other than a blue or clear plastic bag.
- 5. Notwithstanding the immediately preceding section, corrugated cardboard shall be flattened out and secured in convenient bundles weighing no more than 20 kilograms each.
- 6. No person shall place, or caused to be placed, residual waste out for municipal collection in a container other than an opaque plastic bag.

PLACEMENT OF WASTE FOR MUNICIPAL COLLECTION:

- 7. Every owner or occupant shall place collectible waste or special waste out for municipal collection in a location at the end of the driveway servicing the premises from which the collectible or special waste was generated or along the

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shoulder of the street, road or highway which abuts the same premises and in the case of one sided collection in the safest most accessible location nearest the same premises on the appropriate side of the street, road or highway, in both cases, in a manner which does not obstruct pedestrian traffic, vehicular traffic or snow removal operations on the said street, road or highway.

8. No person shall place recyclable or organic materials out for municipal collection, if placed outside a collection bin, other than in a location as described in the preceding clause and also unless separated from other collectible waste.

COLLECTIBLE WASTE -PREPARATION AND RESTRICTIONS:

9. No person shall place, or cause to be placed, any collectible waste out for municipal collection on any one municipal collection day unless done so in accordance with the following restrictions:
 - i. broken bottles, crockery and glassware shall be tightly wrapped in cardboard or other suitable material and clearly marked "GLASS" in order to minimize risk of injury to municipal collection personnel;
 - ii. ashes and soot shall be completely cooled; and
 - iii. an oil tank, unless it is from a residence, must be completely empty *and* shall not exceed 200 gallons in capacity
10. An owner or occupant may place, or cause to be placed, any number of blue or clear bag recyclables and fiber recyclables eligible for municipal collection from eligible premises.
11. No person shall place, or cause to be placed, any collectible waste out for municipal collection before] 2:00 noon of the day immediately preceding the day scheduled for municipal collection.
12. Every owner or occupant shall place collectible waste out for collection by 7:00a.m. of the day scheduled for municipal collection.
13. No person shall permit any empty or rejected container or any rejected materials to remain at the municipal collection placement spot after 12:00 noon of the day immediately following the day scheduled for municipal collection.
14. No person shall place, or cause to be placed, any non-collectible waste in, at or near the locations described above as being appropriate for the placement of

collectible waste for municipal collection.

MUNICIPAL COLLECTION ZONES:

15. The Council may:

- a. divide the Town into zones for the purpose of municipal collection of collectible waste from eligible premises on various days of the week;
- b. designate a particular day of the week and frequency for municipal collection of collectible waste in each zone;
- c. alter the boundaries of zones as deemed necessary on reasonable notice to the public; and
- d. designate areas, streets, roads or collection zones where the municipal collection of waste at roadside shall be one-side collection only for the purposes of safety, efficiency and accessibility.

MUNICIPAL COLLECTION DAYS:

16. Regularly-scheduled municipal collection of collectible waste from eligible premises shall take place once every two (2) weeks commencing at 7:00 a.m.

17. When a regularly scheduled day for municipal collection falls on New Year's Day or Christmas Day, there shall be no municipal collection on that day and the regularly scheduled municipal collection of collectible waste will be rescheduled to an alternate day which may be:

- a) Saturday;
- b) combined with another municipal collection day; or
- c) A day in the week following or preceding the normal municipal collection week.

18. The schedule for exact dates for municipal collection of collectible waste in the various zones may be published from time to time and circulated within the Town.

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COLLECTION OF SPECIAL WASTE:

19. The Council may designate a day or days in the Spring, as well as a day or days in the Fall, for municipal collection of special waste as defined in this by-law.
20. No person shall place a refrigerator, freezer, air conditioner or dehumidifier out for municipal collection except on a day designated by Council for the municipal collection of same
21. No person shall place, or caused to be placed, other special waste out for municipal collection except on a day designated by Council for the municipal collection of same and in accordance with the following restrictions:
 - a) such special waste shall be packaged, bundled or boxed so as to facilitate removal and handling;
 - b) each individual package, bundle or box of such other special waste shall not exceed 100 kgs in weight;
 - c) each individual package, bundle or box of such other special waste shall not exceed 190 cm in any dimension; and
 - d) the total of such other special waste, per premises, placed out for municipal collection on any one day shall not exceed 5.0 cu. m. in total volume.
22. No person shall place, or cause to be placed, any special waste out for municipal collection before 12:00 noon of the day immediately preceding the day designated by Council for municipal collection of same.
23. Every owner or occupant shall place special waste out for collection by 7:00 a.m. of the day scheduled for special collection.
24. No person shall permit any rejected or residue special waste to remain at the municipal collection placement spot after 12:00 noon of the day immediately following the day designated by Council for municipal collection of same.

RESPONSIBILITIES OF OWNERS AND OCCUPANTS:

25. Every owner or occupant shall:
 - a) properly store all collectible waste generated at his or her premises between regularly scheduled municipal collection dates;

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- b) take all reasonable measures to ensure green carts and similar plastic containers are kept in good repair and in a sanitary condition;
- c) take all reasonable measures to ensure that any solid waste container is covered and secured at all times except when being emptied or filled;
- d) clean up any type of solid waste which has escaped from its container;
- e) store collectible waste outside the main building on the eligible premises in containers which are inaccessible to pests, rodents, vermin, seagulls or animals;
- f) store any waste refrigerator or freezer either inside an enclosed and locked building or with the doors of the refrigerator or freezer removed;
- g) ensure the proper preparation of all collectible waste in accordance with this by-law; and
- h) ensure that collectible waste or special waste is placed for municipal collection in accordance with this by-law.

REJECTION OF WASTE:

26. Any type of solid waste which has been set out for municipal collection is subject to inspection by the Town or its agents and any such solid waste found or deemed by same to not be set out in accordance with the requirements of this by-law may be rejected and not collected.
27. In the event that collectible waste or special waste is rejected for municipal collection by the Town or its agents, a tag may be affixed to each such container, bag or bundle indicating the reason or reasons for rejection and a written record of such rejection, and the reasons therefore, may be kept by the Town.

COLLECTION BINS

28. Outdoor or roadside box or bin is acceptable as for placement of collectible waste provided it meets the following specifications:
- a. Constructed of wood or other material so as to be inaccessible to pests, rodents, vermin, seagulls or animals

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- b. Affixed with a securely-hinged lid weighing not more than 12 kilograms;
 - c. Shall have a support to hold the lid open while the contents are being emptied;
 - d. Be maintained at all times in a neat and sanitary condition and kept in good repair
29. White goods or other insulated boxes of any kind are not permitted to be used as a collection bin
30. The placement of any collection bin shall meet the requirements for the proper placement of collectible waste as outlined elsewhere in this by-law.
31. The area inside and surrounding any collection bin shall be kept in a neat and clean condition free of any litter or non-collectable waste

PRIVATE ROADS:

32. Every person whose premises is located on a Private Road may be required to, on the appropriate municipal collection day, transport all collectible waste generated from that premises to a designated location on the shoulder of the nearest public road and, in the case of one-sided collection, on the appropriate shoulder of said public road; and in such a manner not to constitute a nuisance.
33. Notwithstanding the foregoing, the Town or its agent may, at certain times of the year and depending on a variety of factors, including safety concerns and accessibility, notify owners or occupants of premises located on a Private Road that collection will take place in front of each individual premise, or certain of them, for a period of time.

LEGAL AND ILLEGAL DISPOSALS:

34. Except for the placement of collectible waste for municipal collection in accordance with this By-law, no person shall dispose of – or cause or permit the disposal of – collectible waste, special waste or non-collectible waste at any location or manner in the Town except as follows:
- a) backyard composting carried out in such a manner as to not constitute a nuisance;
 - b) subject to any Federal or Provincial law to the contrary, the disposal of waste trees, brush or portions thereof or other organic farm or forestry waste on

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privately-owned forest or farm land in such a manner as to not constitute a nuisance;

- c) subject to any Federal or Provincial law or other Town By-laws to the contrary, the disposal of aggregate, soil, bricks, mortar, concrete or asphalt pavement as fill in such a manner as to not constitute a nuisance.

- 35. No person shall dispose of, or cause or permit the disposal of, construction or demolition materials at any location in the Town except at the approved Construction and Demolition Materials Transfer Station.
- 36. No person shall dispose of, or cause or permit the disposal of, household hazardous waste at any location in the Town except at the approved Household Hazardous Waste Depot.
- 37. Proof that any type of solid waste, which was disposed of in contravention of this by-law, originated from a particular person, or from the residence of a particular person, shall, in the absence of evidence sufficient to convince a court to the contrary, be evidence sufficient for a court to infer that the said particular person so disposed of that solid waste, or a portion of that solid waste, or caused or permitted it to be disposed of.

HOUSEHOLD HAZARDOUS WASTE:

- 38. Every owner or occupant shall store any household hazardous waste generated by same in a safe and secure manner and place and shall deliver same, as soon as is reasonably possible, to the Household Hazardous Waste Depot.
- 39. No person shall dispose of, or cause or permit the disposal of, any type of household hazardous waste in or adjacent to the Household Hazardous Waste Depot after authorized staff of the HHW depot has refused to accept same.
- 40. No person shall dispose of, or cause or permit the disposal of, any type of household hazardous waste in or adjacent to the Household Hazardous Waste Depot when the HHW depot is not open and operational.

MUNICIPAL SOLID WASTE MANAGEMENT FACILITY:

- 41. The Construction and Demolition Materials Transfer Station operated by the Town or, on behalf of the Town, is a Municipal Solid Waste Management Facility and the operator or other authorized staff of same may refuse a load of solid

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waste:

- a. which is comprised of, or contains, solid waste other than the type of solid waste for which that facility has been designed; or
 - b. for which a tipping fee has not yet been set or negotiated with the solid waste generator or collector; or
 - c. for which a tipping fee has not yet been paid to the facility; or
 - d. for which tipping fee payment arrangements -satisfactory to the Town -have not yet been made.
42. No person shall dispose of, or cause or permit the disposal of, any type of solid waste in or at the Construction and Demolition Materials Transfer Station after authorized staff of the transfer station has refused to accept same.
43. No person shall dispose of, or cause or permit the disposal of, any type of solid waste near or adjacent to the Construction and Demolition Materials Transfer Station when the transfer station is not open and operational.

GENERAL PROHIBITIONS:

44. No person shall pick over, remove, collect, disturb or otherwise interfere with any type of solid waste or container.
45. The above prohibition does not apply to:
- a. the person who placed the solid waste or container either out for collection or into the collection bin; or
 - b. Waste wood material, appliances or furniture and other reusable bulky items which have not been secured inside a regulation container.
46. No person shall dispose of any type of solid waste by the burning of same except for brush or tree limbs and only in such place and under such conditions as are permitted by any applicable Provincial or Federal laws.

ENFORCEMENT AND PENALTIES

47. Any person who disposes of solid waste other than in accordance with this by-law is guilty of a summary offense and is liable, upon conviction, to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars

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(\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.

48. Any person who violates any other provision of, or permits anything to be done in violation of, this by-law is guilty of a summary offense and is liable, upon conviction, to the following:
- i. for a first offense, a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) and in default of payment thereof to a term of imprisonment not to exceed thirty (30) days;
 - ii. for a second offense, a fine of not less than One Hundred Dollars (\$100.00) and not more than Two Thousand Dollars (\$2,000.00) and in default of payment thereof to a term of imprisonment not to exceed sixty (60) days;
 - iii. for each subsequent offense, a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment thereof to a term of imprisonment not to exceed ninety (90) days.
49. Any person who obstructs or hinders any person in the performance of their duties under this by-law is guilty of a summary offense and is liable, upon conviction, to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.
50. Pursuant to the provisions of the *Municipal Government Act*, in addition to a fine imposed for violation of this by-law a judge may order the person to comply with this by-law within a time period specified in the order.
51. Each day that a person commits any offence under this by-law constitutes a separate offence.
52. Where a breach of this by-law is anticipated or is of a continuing nature, the Town may, pursuant to the provisions of the *Municipal Government Act*, apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order and the judge may make any order that the justice of the case requires.
53. Where a person is convicted of an offence under this by-law and the court is satisfied that, as a result of the commission of the offence, clean-up or site remediation costs were incurred, whether by the Town or by a person, the

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Court may order the offender to pay, in addition to all other fines and penalties, restitution to the Town or person in an amount equal to the said clean-up or remediation costs.

ADMINISTRATIVE TICKETING:

54. In lieu of prosecution under this by-law the Town may, through its designated employee or employees and in its sole discretion, issue to any person it believes, upon reasonable grounds, has committed a offence under this by-law a Notice of Alleged Violation allowing the person to whom it is directed to avoid possible prosecution by means of the voluntary payment of a sum of money.
55. Any person who receives a Notice of Alleged Violation in relation to this by-law and where the said Notice so provides, may pay a penalty in the amount of Fifty Dollars (\$50.00) to the office of the Municipal Clerk provided that said payment is made within fourteen (14) days of the date of issuance of the Notice and said voluntary payment shall be in full satisfaction in relation to that particular Notice and shall there by release the person named from prosecution for that particular alleged violation.
56. The making of a voluntary payment pursuant to a Notice of Alleged Violation under the preceding section does, in no way, relieve the alleged violator from compliance with this by-law including clean-up of solid waste disposed of in violation of this by-law.
57. Nothing in this by-law requires the Town to issue a Notice of Alleged Violation in lieu of initiating a prosecution in relation to an alleged violation.

REPEAL:

The former Waste Disposal By-law, of the Town of Shelburne is hereby repealed.

Date: January 12, 2012

THIS IS TO CERTIFY that the foregoing is a true copy of a by-law passed at A duly convened meeting of the Council of the Town of Shelburne, held the 7th day of December, 2011.

Hilton Chymist
Clerk



TOWN OF SHELburne
WASTE DISPOSAL SOLID WASTE BY-LAW

BYLAW

Document #	224-371
Rec'd by	
Date	
COPIES TO	
Council	
Agenda	
Committee	

BE IT RESOLVED that the Council of the Town of Shelburne, under the authority vested in it by the *Municipal Government Act, S.N.S. 1998, c. 18*, wishes to adopt the following by-law:

A BY-LAW TO PROVIDE FOR THE PROPER SEPARATION, STORAGE, PLACEMENT FOR PICK-UP, COLLECTION AND DISPOSAL OF ALL TYPES OF SOLID WASTE RESOURCES IN THE TOWN OF SHELburne

SHORT TITLE:

1. This By-law shall be known and may be cited as the "Waste Disposal Solid Waste By-law".

DEFINITIONS:

2. In this By-law:
 - a) "~~blue or clear~~ **bag recyclables**" means glass bottles, glass jars, cans (whether made of aluminum, steel or tin), polyethylene plastic bottles, plastic containers, plastic bags, milk and juice cartons, tetra packs, mini-sip containers and other items as designated by Council from time to time;
 - b) "**boxboard**" means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items;
 - c) "**bulky items**" means large items originating from a premises used as a residence and includes, but is not limited to: vacuum cleaners, upholstered furniture, mattresses, box springs, plastic barrels, and porcelain bathroom items such as toilets and sinks;
 - d) "**collectible waste**" means those waste which are eligible for collection within the volume and other restrictions elsewhere in this By-law, on regularly scheduled collection days, including means organic materials, recyclable materials, and residual waste and bulky items;
 - e) "**construction or demolition materials**" means left-over material generated as a result of any form of construction or renovation and materials generated from demolition activity including but not limited to: asphalt, brick, mortar, polystyrene or fiberglass insulation, cellulose, drywall, plaster, shingles, metal and scrap wood whether or not such other materials are regulated by the Province of Nova Scotia and whether or not such material meets the definition of "C & D Debris" in the N.S.E. 1997 Guidelines for same;

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- f) **"Council" or "council"** means the Council of the Town of Shelburne;
- g) **"dispose"** means any form of disposal whether temporary or permanent including the following: dump, deposit, store, place, or bury regardless of whether the material in question is dumped, deposited, stored or placed in a bin, box, other container or other containment method;
- h) **"dwelling"** means a building, or a unit in a building, occupied or intended to be occupied as a home, residence or sleeping place by one or more persons but does not include a hotel, motel, guesthouse or inn;
- i) **"eligible premises"** means all properties within the Town with the exception of certain restrictions placed on properties located on private roads as addressed elsewhere in this by-law;
- j) ~~**"fiber recyclables"** means mixed paper, corrugated cardboard, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons or other similar items as are designated by Council from time to time;~~

Replace with

"Paper recyclables" means newspaper, magazines, corrugated cardboard, telephone and other soft cover books, boxboard, envelopes (other than padded or bubbled), egg cartons and other similar items as are designated by council from time to time;

- k) **"food waste"** means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items;
- l) **"household hazardous waste"** means any corrosive, flammable or poisonous material or substance such as oil and oil products, radioactive materials, acids, poisons, insecticides or other poisons used for agricultural purposes or for rodent control, any substance or chemical highly lethal to mammalian or aquatic life and any substance or chemical dangerous to the environment – including but not limited to: batteries, left-over liquid paint, left-over corrosive cleaners, pesticides or herbicides, gasoline, fuel oil and used motor oil, solvents and thinners, pharmaceuticals, drugs and needles, aerosol cans which contain hazardous substances, BBQ propane Tanks and small propane cylinders or canisters such as those used for camp stoves or propane torches;

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- m) **"leaf and yard waste"** means grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items;
- n) **"municipal collection"** means carrying out by, or on behalf of, the Town of scheduled collection of collectible waste from eligible premises;
- o) **"Town"** or "town " means the Town of Shelburne;
- p) **"non-collectible waste"** means all material other than collectible waste and, without limiting the generality of the foregoing, includes:
 - i. highly combustible or explosive materials including, without limiting, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;
 - ii. materials that are considered pathogenic or biomedical including, without limiting, dressings, bandages or other infected materials or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
 - iii. carcasses or parts of any animal except food waste;
 - iv. waste listed or characterized as hazardous by any Federal or Provincial law;
 - v. transient waste;
 - vi. liquid waste or material that has attained a fluid consistency and has not been drained;
 - vii. soil, rock and stumps;
 - viii. construction or demolition materials;
 - ix. wood, wooden pallets, wooden barrels and wooden furniture;
 - x. septic tank pumpings, raw sewage or industrial sludge;
 - xi. radioactive materials;
 - xii. industrial waste from factories or manufacturing processes;

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- xiii. manure, kennel waste, excreta, fish processing waste;
 - xiv. lead-acid automotive batteries and propane tanks;
 - xv. waste which has been placed for municipal collection but not in accordance with the provisions of this by-law; and
 - xvi. materials banned from landfill disposal by the N.S.E. Regulations Respecting Solid Waste-Resource Management, November, 1995, as amended – other than recyclable materials or organic materials from eligible premises.
- q) "**N.S.E.**" means Nova Scotia Environment or its successor provincial department should there be a name change;
- r) "**occupant**" means any person who, in addition to or instead of the owner, resides in or is the lessee of, whether by way of verbal or written lease or other arrangement, a building or on a property located within the Town and includes any assignee or legal representative of same;
- s) "**organic materials**" means food waste, leaf and yard waste, boxboard, soiled and non-recyclable paper, ashes or soot, branches and bushes, bare and natural Christmas trees and other material of plant or animal origin as designated by Council from time to time;
- t) "**owner**" refers to the owner of property and includes a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building and, in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building; and, in the absence of proof to the contrary, the person assessed for the property;
- u) "**recyclable materials**" means fiber paper recyclables, blue or clear bag recyclables and other materials of a recyclable nature;
- v) "**residual waste**" means the following:
- i) broken bottles, crockery and glassware – subject to the restrictions imposed elsewhere in this by-law;
 - ii) floor sweepings, pet litter, light bulbs, used disposable diapers, candy wrappers, discarded clothing and furnishings, broken toys, mats and small carpets, non-recyclable plastic and metal, non-recyclable packaging including Styrofoam™, non-repairable household goods and other household waste; and
 - iii) bulky items.

BYLAW

- w) **"soiled and non-recyclable paper"** means napkins, paper towel & fast food wrappers, wax paper, file folders, yellow & brown envelopes, wrapping paper, soiled pizza boxes, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items;
- x) **"solid waste"** means collectible waste, non-collectible waste, special waste, construction or demolition materials, household hazardous waste, transient waste and any other waste or discarded tangible personal property;
- y) **"special waste"** means metals and white goods;
- z) **"transfer station"** means the Construction and Demolition Materials Transfer Station operated by the Town ;
 - i. "transient waste" means waste material generated outside the Town ;
 - ii. "unit" means a self-contained portion of a building occupied as a separate residence;
 - iii. "white goods" means any large household appliance including but not limited to stoves, dishwashers, washers, dryers, hot water heaters, refrigerators, freezers, dehumidifiers and air conditioners.
 - iv. **"Communal storage"** means a designated collection location, container, box or bin where any person from more than one dwelling or eligible premises place solid waste for municipal collection.

PACKAGING FOR MUNICIPAL COLLECTION:

- 3. No person shall place, or caused to be placed, organic materials out for municipal collection in a container other than a green cart or other very similar plastic container.
- 4. No person shall place, or caused to be placed, recyclable materials out for municipal collection in a container other than a blue ~~or clear~~ plastic bag.
- 5. Notwithstanding the immediately preceding section, corrugated cardboard shall be flattened out and secured in convenient bundles weighing no more than 20 kilograms each.
- 6. No person shall place, or caused to be placed, residual waste out for municipal collection in a container other than a clear ~~an opaque~~ plastic bag.
 - a. Each eligible premise is permitted to place one (1) opaque plastic bag, no larger than

BYLAW

55.58cm x 60.96cm (77L) into (1) clear bag for residual waste out for municipal collection on each regularly scheduled collection day. (Reflects size of privacy bag).

PLACEMENT OF WASTE FOR MUNICIPAL COLLECTION:

7. Every owner or occupant shall place collectible waste or special waste out for municipal collection in a location at the end of the driveway servicing the premises from which the collectible or special waste was generated or along the shoulder of the street, road or highway which abuts the same premises and in the case of one sided collection in the safest most accessible location nearest the same premises on the appropriate side of the street, road or highway, in both cases, in a manner which does not obstruct pedestrian traffic, vehicular traffic or snow removal operations on the said street, road or highway.
8. No person shall place recyclable or organic materials out for municipal collection, if placed outside a collection bin, other than in a location as described in the preceding clause and also unless separated from other collectible waste.

COLLECTIBLE WASTE - PREPARATION AND RESTRICTIONS:

9. No person shall place, or cause to be placed, any collectible waste out for municipal collection on any one municipal collection day unless done so in accordance with the following restrictions:
 - i. broken bottles, crockery and glassware shall be tightly wrapped in cardboard or other suitable material and clearly marked "GLASS" in order to minimize risk of injury to municipal collection personnel;
 - ii. ashes and soot shall be completely cooled; and
 - iii. an oil tank, unless it is from a residence, must be completely empty *and* shall not exceed 200 gallons in capacity
10. An owner or occupant may place, or cause to be placed, any number of blue or clear-bag recyclables and fiber paper recyclables eligible for municipal collection from eligible premises.
 - a. Every owner or occupant shall place paper and boxboard into a separate bag from blue bag recyclables for scheduled municipal collection. (Addition to reflect 2 bag recyclables)
11. No person shall place, or cause to be placed, any collectible waste out for municipal collection before 12:00 noon of the day immediately preceding the day scheduled for municipal collection.
12. Every owner or occupant shall place collectible waste out for collection by 7:00a.m. of the day scheduled for municipal collection.

BYLAW

13. No person shall permit any empty or rejected container or any rejected materials to remain at the municipal collection placement spot after 12:00 noon of the day immediately following the day scheduled for municipal collection.
14. No person shall place, or cause to be placed, any non-collectible waste in, at or near the locations described above as being appropriate for the placement of collectible waste for municipal collection.

MUNICIPAL COLLECTION ZONES:

15. The Council may:
 - a. divide the Town into zones for the purpose of municipal collection of collectible waste from eligible premises on various days of the week;
 - b. designate a particular day of the week and frequency for municipal collection of collectible waste in each zone;
 - c. alter the boundaries of zones as deemed necessary on reasonable notice to the public; and
 - d. designate areas, streets, roads or collection zones where the municipal collection of waste at roadside shall be one-side collection only for the purposes of safety, efficiency and accessibility.

MUNICIPAL COLLECTION DAYS:

16. Regularly-scheduled municipal collection of collectible waste from eligible premises shall take place once every two (2) weeks commencing at 7:00 a.m.
17. When a regularly scheduled day for municipal collection falls on New Year's Day or Christmas Day, there shall be no municipal collection on that day and the regularly scheduled municipal collection of collectible waste will be rescheduled to an alternate day which may be:
 - a) Saturday;
 - b) combined with another municipal collection day; or
 - c) A day in the week following or preceding the normal municipal collection week.

BYLAW

18. The schedule of exact dates for municipal collection of collectible waste in the various zones may be published from time to time and circulated within the Municipality.

COLLECTION OF SPECIAL WASTE:

19. The Council may designate a day or days in the Spring, as well as a day or days in the Fall, for municipal collection of special waste as defined in this by-law.
20. No person shall place a refrigerator, freezer, air conditioner or dehumidifier out for municipal collection ~~except on a day designated by Council for the municipal collection of same.~~ (we do not pick up these items, nor can we with our service provided)
21. No person shall place, or caused to be placed, other special waste out for municipal collection except on a day designated by Council for the municipal collection of same and in accordance with the following restrictions:
- a) such special waste shall be packaged, bundled or boxed so as to facilitate removal and handling;
 - b) each individual package, bundle or box of such other special waste shall not exceed 100 kgs in weight;
 - c) each individual package, bundle or box of such other special waste shall not exceed 190 cm in any dimension; and
 - d) the total of such other special waste, per premises, placed out for municipal collection on any one day shall not exceed 5.0 cu. m. in total volume.
22. No person shall place, or cause to be placed, any special waste out for municipal collection before 12:00 noon of the day immediately preceding the day designated by Council for municipal collection of same.
23. Every owner or occupant shall place special waste out for collection by 7:00 a.m. of the day scheduled for special collection.
24. No person shall permit any rejected or residue special waste to remain at the municipal collection placement spot after 12:00 noon of the day immediately following the day designated by Council for municipal collection of same.

RESPONSIBILITIES OF OWNERS AND OCCUPANTS:

25. Every owner or occupant shall:

BYLAW

- a) properly store all collectible waste generated at his or her premises between regularly scheduled municipal collection dates;
- b) take all reasonable measures to ensure green carts and similar plastic containers are kept in good repair and in a sanitary condition;
- c) take all reasonable measures to ensure that any solid waste container is covered and secured at all times except when being emptied or filled;
- d) clean up any type of solid waste which has escaped from its container;
- e) store collectible waste outside the main building on the eligible premises in containers which are inaccessible to pests, rodents, vermin, seagulls or animals;
- f) store any waste refrigerator or freezer either inside an enclosed and locked building or with the doors of the refrigerator or freezer removed;
- g) ensure the proper preparation of all collectible waste in accordance with this by- law; and
- h) ensure that collectible waste or special waste is placed for municipal collection in accordance with this by-law.

REJECTION OF WASTE:

26. Any type of solid waste which has been set out for municipal collection is subject to inspection by the Town or its agents and any such solid waste found or deemed by same to not be set out in accordance with the requirements of this by-law may be rejected and not collected.

27. In the event that collectible waste or special waste is rejected for municipal collection by the Town or its agents, a tag may be affixed to each such container, bag or bundle indicating the reason or reasons for rejection and a written record of such rejection, and the reasons therefore, may be kept by the Town.

- a) Any rejection of solid waste, as designated by a rejection sticker, shall remain the property of the owner. (addition to clean up potential misinterpretation)

COLLECTION BINS

28. Outdoor or roadside box or bin is acceptable as for placement of collectible waste provided it meets the following specifications:

BYLAW

- a. Constructed of wood or other material so as to be inaccessible to pests, rodents, vermin, seagulls or animals
 - b. Affixed with a securely-hinged lid weighing not more than 12 kilograms;
 - c. Shall have a support to hold the lid open while the contents are being emptied;
 - d. Be maintained at all times in a neat and sanitary condition and kept in good repair
29. White goods or other insulated boxes of any kind are not permitted to be used as a collection bin
30. The placement of any collection bin shall meet the requirements for the proper placement of collectible waste as outlined elsewhere in this by-law.
31. The area inside and surrounding any collection bin shall be kept in a neat and clean condition free of any litter or non-collectable waste

PRIVATE ROADS:

32. Every person whose premises is located on a Private Road may be required to, on the appropriate municipal collection day, transport all collectible waste generated from that premises to a designated location on the shoulder of the nearest public road and, in the case of one-sided collection, on the appropriate shoulder of said public road; and in such a manner not to constitute a nuisance.
33. Notwithstanding the foregoing, the Town or its agent may, at certain times of the year and depending on a variety of factors, including safety concerns and accessibility, notify owners or occupants of premises located on a Private Road that collection will take place in front of each individual premise, or certain of them, for a period of time.

LEGAL AND ILLEGAL DISPOSALS:

34. Except for the placement of collectible waste for municipal collection in accordance with this By-law, no person shall dispose of -or cause or permit the disposal of - collectible waste, special waste or non-collectible waste at any location or manner in the Town except as follows:
- a) backyard composting carried out in such a manner as to not constitute a nuisance;

BYLAW

- b) subject to any Federal or Provincial law to the contrary, the disposal of waste trees, brush or portions thereof or other organic farm or forestry waste on privately-owned forest or farm land in such a manner as to not constitute a nuisance;
 - c) subject to any Federal or Provincial law or other Town By-laws to the contrary, the disposal of aggregate, soil, bricks, mortar, concrete or asphalt pavement as fill in such a manner as to not constitute a nuisance.
35. No person shall dispose of, or cause or permit the disposal of, construction or demolition materials at any location in the Town except at the approved Construction and Demolition Materials Transfer Station.
36. No person shall dispose of, or cause or permit the disposal of, household hazardous waste at any location in the Town except at the approved Household Hazardous Waste Depot.
37. Proof that any type of solid waste, which was disposed of in contravention of this by-law, originated from a particular person, or from the residence of a particular person, shall, in the absence of evidence sufficient to convince a court to the contrary, be evidence sufficient for a court to infer that the said particular person so disposed of that solid waste, or a portion of that solid waste, or caused or permitted it to be disposed of.

HOUSEHOLD HAZARDOUS WASTE:

38. Every owner or occupant shall store any household hazardous waste generated by same in a safe and secure manner and place and shall deliver same, as soon as is reasonably possible, to the Household Hazardous Waste Depot.
39. No person shall dispose of, or cause or permit the disposal of, any type of household hazardous waste in or adjacent to the Household Hazardous Waste Depot after authorized staff of the HHW depot has refused to accept same.
40. No person shall dispose of, or cause or permit the disposal of, any type of household hazardous waste in or adjacent to the Household Hazardous Waste Depot when the HHW depot is not open and operational.

MUNICIPAL SOLID WASTE MANAGEMENT FACILITY:

41. The Construction and Demolition Materials Transfer Station operated by the Town or, on behalf of the Town, is a Municipal Solid Waste Management Facility and the operator or other authorized staff of same may refuse a load of solid

BYLAW

waste:

- a. which is comprised of, or contains, solid waste other than the type of solid waste for which that facility has been designed; or
 - b. for which a tipping fee has not yet been set or negotiated with the solid waste generator or collector; or
 - c. for which a tipping fee has not yet been paid to the facility; or
 - d. for which tipping fee payment arrangements -satisfactory to the Town -have not yet been made.
42. No person shall dispose of, or cause or permit the disposal of, any type of solid waste in or at the Construction and Demolition Materials Transfer Station after authorized staff of the transfer station has refused to accept same.
43. No person shall dispose of, or cause or permit the disposal of, any type of solid waste near or adjacent to the Construction and Demolition Materials Transfer Station when the transfer station is not open and operational.

GENERAL PROHIBITIONS:

44. No person shall pick over, remove, collect, disturb or otherwise interfere with any type of solid waste or container.
45. The above prohibition does not apply to:
- a. the person who placed the solid waste or container either out for collection or into the collection bin; or
 - b. Waste wood material, appliances or furniture and other reusable bulky items which have not been secured inside a regulation container.
46. No person shall dispose of any type of solid waste by the burning of same except for brush or tree limbs and only in such place and under such conditions as are permitted by any applicable Provincial or Federal laws.

ENFORCEMENT AND PENALTIES

47. Any person who disposes of solid waste other than in accordance with this by-law is guilty of a summary offense and is liable, upon conviction, to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars

BYLAW

(\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.

48. Any person who violates any other provision of, or permits anything to be done in violation of, this by-law is guilty of a summary offense and is liable, upon conviction, to the following:
- i. for a first offense, a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) and in default of payment thereof to a term of imprisonment not to exceed thirty (30) days;
 - ii. for a second offense, a fine of not less than One Hundred Dollars (\$100.00) and not more than Two Thousand Dollars (\$2,000.00) and in default of payment thereof to a term of imprisonment not to exceed sixty (60) days;
 - iii. for each subsequent offense, a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment thereof to a term of imprisonment not to exceed ninety (90) days.
49. Any person who obstructs or hinders any person in the performance of their duties under this by-law is guilty of a summary offense and is liable, upon conviction, to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.
50. Pursuant to the provisions of the *Municipal Government Act*, in addition to a fine imposed for violation of this by-law a judge may order the person to comply with this by-law within a time period specified in the order.
51. Each day that a person commits any offence under this by-law constitutes a separate offence.
52. Where a breach of this by-law is anticipated or is of a continuing nature, the Town may, pursuant to the provisions of the *Municipal Government Act*, apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order and the judge may make any order that the justice of the case requires.
53. Where a person is convicted of an offence under this by-law and the court is satisfied that, as a result of the commission of the offence, clean-up or site remediation costs were incurred, whether by the Town or by a person, the

BYLAW

Court may order the offender to pay, in addition to all other fines and penalties, restitution to the Town or person in an amount equal to the said clean-up or remediation costs.

ADMINISTRATIVE TICKETING:

54. In lieu of prosecution under this by-law the Town may, through its designated employee or employees and in its sole discretion, issue to any person it believes, upon reasonable grounds, has committed an offence under this by-law a Notice of Alleged Violation allowing the person to whom it is directed to avoid possible prosecution by means of the voluntary payment of a sum of money.
55. Any person who receives a Notice of Alleged Violation in relation to this by-law and where the said Notice so provides, may pay a penalty in the amount of Fifty Dollars (\$50.00) to the office of the Municipal Clerk provided that said payment is made within fourteen (14) days of the date of issuance of the Notice and said voluntary payment shall be in full satisfaction in relation to that particular Notice and shall thereby release the person named from prosecution for that particular alleged violation.
56. The making of a voluntary payment pursuant to a Notice of Alleged Violation under the preceding section does, in no way, relieve the alleged violator from compliance with this by-law including clean-up of solid waste disposed of in violation of this by-law.
57. Nothing in this by-law requires the Town to issue a Notice of Alleged Violation in lieu of initiating a prosecution in relation to an alleged violation.

REPEAL:

The former Waste Disposal By-law, of the Town of Shelburne is hereby repealed.

Date: January 12, 2012

THIS IS TO CERTIFY that the foregoing is a true copy of a by-law passed at A duly convened meeting of the Council of the Town of Shelburne, held the 7th day of December, 2011.

Hilton Chymist
Clerk



Municipality of
Shelburne

Naturally Yours

Inspection Department

414 Woodlawn Drive, PO Box 280 Shelburne, NS BOT 1W0, Phone: (902) 875-3494 - Fax: (902) 875-1278

June 3, 2024

Town of Shelburne
ATTN: Sarah Whiteway Mattatall
PO Box 670
Shelburne, NS
BOT 1W0

Dear Ms., Mattatall:

Re: Monthly Building Report

The following is the Building Inspection Report for the month of May, 2024.

Fiscal Year	2024/2025	2023/2024
Number of Permits Issued this Month	6	2
Number of Permits Issued to Date	8	6
Construction Value	\$ 267,500.00	\$ 185,000.00
Total Construction to Date	\$ 470,500.00	\$ 191,000.00

Yours very truly,

Andrew Goreham, CRBO, CFI
Director of Inspection Services

/aad

Document #	D24-372
Rec'd by	[Signature]
Date	June 3, 2024
COPIES TO:	
Committee	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	

Document # **D24-373**
 by *JW*
 June 10/24

COPIES TO:	
Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	<input type="checkbox"/>

June 10, 2024

Calls for Service (May 1 to May 31):

- 24-030. Service Request:** Received a complaint of garbage not sorted properly and items set out that are not for pick up. **RESOLVED.**
- 24-031. Service Request:** Addressed a complaint of Dangerous and Unsightly property on King Street. Notices issued. **ONGOING.**
- 24-032. Service Request:** Responded to a complaint of Dangerous and Unsightly property on Clements Street. Notice issued. **ONGOING.**
- 24-033. Service Request:** Investigated a report of Dangerous and Unsightly property as well as Minium Standard by-law violation on Clements Street. Notices issued. **ONGOING.**
- 24-034. Service Request:** Was notified by a resident of Minium Standards by-law violation on Water Street. Spoke to property owner personally, was assured they would remedy the violation. Will inspect at a later date. **ONGOING.**
- 24-035. Service Request:** Responded to a parking complaint on King Street. Resident was parking on sidewalk and blocking fire hydrant. Spoke with the resident. **RESOLVED.**
- 24-036. Service Request:** Addressed a complaint of a Dangerous and Unsightly property on Annapolis Road. Notices issued. **ONGOING.**
- 24-037. Service Request:** Investigated a complaint of illegal dumping on Water Street. Inspected location, no signs of any illegal dump site. **RESOLVED**

Assignments:

- Working on the review of by-laws and Policies.
- Preparing Road Trails by-law first reading for council consideration.
- Getting quotes for the installation of a foul ball net at the Albert Acker ball Field .
- Participated in a Traffic Control Course

Summary of Additional By-Law Officer Duties and Outcomes:

- Complaint 23-014 23-021 24-026: RESOLVED.**
- Conducting more frequent inspections of the Yacht Club parking lot and Pine Grove Cemetery.
- Contacted The Nova Scotia Department of Public Works advised of Road Trails by-law.
- Assisted in small IT tasks with support from G23 Technologies.
- Drawing contest with Hillcrest Academy students was huge success! Installing signs in the upcoming weeks.

Respectfully submitted,

Dana Nash

TOWN OF SHELBURNE

STAFF REPORT Wastewater Utility

Document #	D24-374
Rec'd by	gm
Date	June 12/24
COPIES TO:	
Council	✓
Agenda	✓
Committee	



DATE: June 12th, 2024

Dear Council Members,

I am writing to provide an overview of the operations and performance of the Town of Shelburne Wastewater Plant for your review and consideration.

1. Introduction:

The Town of Shelburne Wastewater Plant plays a critical role in safeguarding public health and protecting the environment by treating wastewater before it is discharged back into natural water bodies. Our plant operates 24/7 to ensure that wastewater is treated to meet stringent regulatory standards.

2. Key Performance Indicators:

- **Effluent Quality:** The quality of the treated wastewater continued to meet or exceed all regulatory requirements for our TSS (total suspended solids), CBOD (Carbonaceous Biochemical Oxygen Demand), and Ammonia levels. Our E coli Levels have unfortunately dipped back down and are not within compliance. This was due to an Operator error.

In an attempt to rid our system of a bacteria (Nocardia) that causes excess smell, severe foaming, as well as sludge settling issue, we ended up making our system anoxic (lack of oxygen). Unfortunately, this caused a smell for 1 – 2 weeks, but was brought back under control within 2 weeks. The error existed due to lack of forced oxygen from our blowers for approximately 12 to 24 hours to long.

The Good news is, although we had smell for those weeks, we are now no longer weighed down with Nocardia Bacteria in our system. This should make our treatment and efficiency much easier throughout the summer months.

- **Treatment Efficiency:** Last month we noted treatment efficiencies had dropped due to summertime conditions, and although this month we had an operator error causing our E. coli numbers to raise, our treatment efficiencies have vastly improved. Normally (April 2024) We would see Our Total Suspended Solids count come into the plant at around 1300Mg/L (this is a standard amount), the plant will reduce that number down to <5 mg/L before we send it back to the harbour ensuring fewer toxic organisms and pollutants.



TOWN OF SHELBURNE

During May 2024, although we had upset conditions, we had 4910 total suspended solids, and the plant reduced it down to 39! This shows the plant is working even under poor conditions.

We have done our best to rid the system of the anoxic material, and we hope to be in compliance by the end of June 2024.

- **Compliance:** We are currently OUT of compliance with our ECOLI but are IN compliance for the rest of our D.O.E Requirements.

- **Maintenance and Infrastructure:**

Operators continued work during May and the start of June on maintenance programs, mainly asset management (specifically digitizing current infrastructure and equipment) and inventory of our existing equipment within our lift stations, as well as their technical specifications.

3. Challenges and Mitigation Strategies:

- **Aging Infrastructure:** The Final Upgrades to Arthur Street will be installed this week, we were missing SIM cards to allow our remote access (SCADA).
- **Resource Management:** We continue to focus on resource efficiency, including energy and chemical usage, to minimize operating costs and reduce our environmental footprint. It was noted our Polymer has expired due to age, so we've begun using a fresh barrel which we had on hand.
- **Emergency Preparedness:** Comprehensive emergency response plans are in place to address potential incidents or disruptions to our operations, ensuring continuity of service and protection of public health. Operators have installed Voyent Alert on their cell phones to keep up with local emergency alerts

4. Public Concerns: No complaints, problems or concerns reported.

- **Future Directions:** Operators as well as Public Works attended a Gorman Rupp pump course on June 11th at the Firehall. This allowed our group to get some very important knowledge of our SRHS lift station (Currently outfitted with 2 Gorman Rupp pumps) and the challenges it can present. Since the course, we're looking into fixing and maintaining those pumps in house at a much higher level to ensure less breakages and shutdowns.
- **Daniel MacKay, O.I.T Wastewater, Town of Shelburne.**



TOWN OF SHELBURNE

STAFF REPORT Water Utility

Document #	D24-375
Rec'd by	[Signature]
Date	June 14/24
COPIES TO:	
Council	✓
Agenda	✓
Committee	



June 17th, 2024

Dear Council Members,

This report outlines the operations of the Town of Shelburne Water Treatment Plant for the current reporting period. The plant continues to function effectively, ensuring the town's water needs are met with high standards.

Overview:

1. Key Performance Indicators:

- **Water Quality:** We consistently meet all Department of Environment (DOE) regulatory requirements.
- **Treatment Efficiency:** The treatment process adheres to the highest standards and undergoes continuous improvement.
- **Maintenance and Upkeep:** Regular maintenance is conducted to minimize downtime. Currently, we are repainting some pieces of equipment that require attention.
- **Compliance:** We remain compliant with all DOE-mandated tests. Collaboration with Mark Holden and Trevor Marriott ensures any arising issues are promptly addressed.

2. Challenges and Mitigation Strategies:

- **Resource Management:** Efforts are made to optimize the process to eliminate waste and increase efficiency.
- **Technological Upgrades:** We have procured two new chlorine analyzers, one for each of the two towers, to enhance monitoring and safety.
- **Workforce Development:** I am studying for level 1 water treatment certification and training the assistant to the water treatment plant. Additionally, I participated in the 2024 MPWANS Conference alongside the Public Works Supervisor, Will Butler, furthering our professional development.



TOWN OF SHELBURNE

3. Public Concerns:

- **Public Concerns:** There are no new public concerns to report at this time.

Thank you for your attention to this report. Please feel free to reach out with any questions or for further details.

Respectfully submitted,

Mike Rhuland
Water Treatment Plant Operator





STAFF REPORT

To: Council

From: Michelle Vacon, Accessibility Coordinator

Date: June 10, 2024

Subject: **Appointment of Community Member – Eastern Shelburne County Accessibility Advisory Committee**

Document # D24-376	
Rec'd by <i>[Signature]</i>	
Date June 10/24	
COPIES TO:	
Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	<input type="checkbox"/>

Origin

The Eastern Shelburne County Accessibility Advisory Committee (AAC) has vacant community member positions. The ACC is a joint committee between The Town of Shelburne, the Municipality of Shelburne and The Town of Lockeport.

The Accessibility Coordinator for the three municipal units recently put out a public call for new community members to serve on the committee, and Catherine Jones applied as a community member from the Town of Shelburne.

The Accessibility Coordinator, Michelle Vacon, in consultation with Jessie Dyer, Accessibility Lead for The Town of Shelburne, nominates Catherine Jones to the committee.

The Town of Shelburne can appoint committee members from their area to the AAC.

Recommendation

THAT Council of the Town of Shelburne approve Catherine Jones to be appointed a member of the Eastern Shelburne County Accessibility Advisory Committee.



**SHELBURNE VOLUNTEER FIRE DEPARTMENT
63 KING STREET, PO BOX 880
SHELBURNE, NS
BOT 1W0**

Document # D24-377	
Rec'd by <i>[Signature]</i>	
Date June 11/24	
COPIES TO:	
Council	✓
Agenda	✓
Committee	

Mayor, Councillors and CAO

This is the monthly activity report for your Fire Department for the month of May 2024.

Total number of calls for service: 15

Calls for service within the Town: 7

Calls for service in the Municipality of Shelburne protection area: 6

Calls for Mutual Aid to other Municipality of Shelburne Departments: 2

Calls for Mutual Aid to Fire Departments outside of the Municipality of Shelburne:

<u>CALLS FOR SERVICE BREAKDOWN</u>	<u>TOWN</u>	<u>MUNICIPALITY</u>
ALARM SOUNDING	1	
MEDICAL	1	1
MOTOR VEHICLE ACCIDENT	3	2 + 1 Mutual Aid
STRUCTURE	1	2 + 1 Mutual Aid
CHIMNEY/FLUE		
VEHICLE FIRE	1	
GRASS, BRUSH, FOREST		1
POWER LINES		
FLOOD CONDITIONS		
BOATS/WATER RESCUE		
FUEL LEAK/SPILL		
COMMERCIAL /INDUSTRIAL ACCIDENT		

DARRELL LOCKE, FIRE CHIEF

shelburnefire@gmail.com

MIKE SHAND, PRESIDENT