



AGENDA
Town Council Meeting – Town Council Chambers
November 18th, 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 October 7th, 2024, approval of the minutes from the Special Town Council meeting held on October 18th, 2024, and approval of the minutes from the Swearing-in Ceremony held on November 6th, 2024.
- 4) Proclamations and Announcements:
 - a) Canada History Week
- 5) Delegations/Presentation:
 - a) Ben Nickerson re: RCMP and influx of criminal activity in the area D24-410
 - b) Shelley Nickerson re: Cadet Training Night D24-411
- 6) Correspondence:

Action:

 - a) Letter from Paul Khangura re: Hotel Project D24-412
 - b) Email from Paul Conrod re: Tax Rates in Town of Shelburne and PVSC D24-413
 - c) Letter from Phil Callan Memorial Basketball Classic re: Sponsorship D24-414

Information:

 - d) Letter to Minister Lebouthillier re: Concerns Regarding Mediation in Treaty Fishing Rights and Elvers Quota Allocation D24-415
 - e) Letter to The Honourable Barbara Adams re: Request for an Organized Crime Unit in Southwest Nova Scotia D24-416
- 7) Council Items:
 - a) 2nd Reading Noise Control By-law D24-417
 - b) Code of Conduct Policy D24-418
 - c) Consolidation/Amalgamation/Unification D24-419
 - d) Shelburne Volunteer Fire Department By-law Review D24-420
- 8) Committee Reports:
 - a) Committee Appointments D24-421
- 9) Staff Reports:
 - a) Post Election Report D24-422
 - b) Finance Manager Report D24-423
 - c) Building Inspector Report D24-424
 - d) By-law Officer Report September D24-425
 - e) By-law Officer Report October D24-426

10) New Business:

11) Upcoming Meetings/Events:

- a) Christmas Craft Fair, Saturday, November 23, 2024, 10am-2pm, Shelburne Community Centre
- b) Christmas in the Barn, Sunday, November 24, 2024, 10am-2pm, Anne Street
- c) Visit the Osprey website at www.ospreyartscentre.ca for a list of their up-and-coming events.
- d) Reindeer Run, December 7, 2024, Islands Park, 10:00am
- e) Miracle on Dock Street, December 7, 2024, Water and Dock Streets, 6-7:30pm, Fireworks at 7:45pm
- f) Next Council Meeting, Monday, December 2, 2024, 6pm, Council Chambers
- g) For more events, check out www.shelburnecounty.ca/events

12) Adjournment



Town of Shelburne
Minutes of the Regular Council Meeting
October 7th, 2024

Council Members Present

Mayor Harold Locke
Deputy Mayor Sheldon Ringer
Councillor Elizabeth Acker

Staff Present

Chief Administrator Officer, Sarah Mattatall
Executive Coordinator, Jill Webb

Regrets

Councillor Ben Nickerson
Councillor Rick Davis

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 October 7th, 2024, Council meeting with the addition of Source Water Protection minutes under Committee Reports Item b).

Acker-Ringer

CARRIED

Approval of the Minutes

THAT Council approves the minutes from the regular Town Council Meeting held on September 16th, 2024.

Ringer-Acker

CARRIED

Proclamations and Announcements:

a) World Mental Health Day – October 10th, 2024

Mayor Locke Read: World Mental Health Day, observed on October 10th, serves as an opportunity to raise awareness about mental health issues and promote efforts that support mental well-being. This year's theme, "It's Time to Prioritise Mental Health in the Workplace." As work is a central part of our lives, promoting mental well-being at work is vital for both employees and organizations. Workplaces

that prioritize mental health foster a positive environment, improve productivity, and help reduce stress and burnout. Simple steps like promoting open dialogue, providing access to mental health resources, and encouraging work-life balance can make a significant difference. Let's take this day as a reminder to advocate for mental health at work and build healthier, more supportive workplaces for everyone.

b) Fire Prevention Week – October 6th – October 12th, 2024

Councillor Ringer Read: It's Fire Prevention Week from October 6th to 12th, 2024. This year's theme, "Smoke alarms: Make them work for you!", emphasizes the crucial role smoke alarms play in keeping you and your family safe from fires.

Smoke alarms are your first line of defense in case of a fire, and ensuring they work properly can mean the difference between life and tragedy. Here are some important steps to make sure your smoke alarms are fully operational:

1. Install smoke alarms in every bedroom, outside each sleeping area, and on every level of your home, including the basement.
2. Test your smoke alarms monthly.
3. Replace batteries at least once a year, or when the alarm chirps, indicating that the battery is low.
4. Replace all smoke alarms every 10 years, even if they seem to be working fine. Over time, their sensors become less effective.
5. Create and practice a home fire escape plan, so everyone knows what to do when a smoke alarm goes off. Every second counts in a fire!

Let's all take this week to check our smoke alarms and ensure they're ready to protect our homes and loved ones.

Councillor Ringer added to get your chimneys checked as well!

c) Pregnancy and Infant Loss Awareness Day – October 15th, 2024

Councillor Acker Read: October 15th marks Pregnancy and Infant Loss Awareness Day, a day dedicated to raising awareness, offering support, and remembering the families affected by the loss of a baby during pregnancy or shortly after birth. This day serves as a reminder of the profound impact such losses have on parents, families, and communities.

Miscarriage, stillbirth, and infant loss can be deeply isolating experiences, often accompanied by complex emotions of grief, guilt, and pain. By fostering open conversations, we aim to break the silence around this topic and offer much-needed support to those affected.

To all those who have experienced loss, we extend our deepest sympathies and a reminder that you are not alone. Let us come together to honor the memories of the little ones gone too soon and support each other in healing.

d) Domestic Violence Awareness Month – November

Mayor Locke Read: Domestic Violence Awareness Month, observed every November, is a time to raise awareness about domestic violence and the impact it has on individuals, families, and communities. It serves to honor survivors, remember victims, and educate the public on the importance of prevention and intervention.

Domestic violence can take many forms, including physical, emotional, psychological, and financial abuse. The month-long campaign encourages people to speak out, support those affected, and advocate for stronger protections and resources. It also highlights the role communities play in fostering safe environments, offering help through shelters, hotlines, and services aimed at breaking the cycle of abuse.

Delegations/Presentations: NONE

Correspondence

Action:

a) **Letter from Ed Benham regarding maintenance on projects**

Councillor Acker informed Council that Mr. Benham has recently done some work on his art project in Secret Park, demonstrating initiative and dedication to enhancing our community spaces. Councillor Acker also proposed allocating funds in the upcoming budget for the maintenance of town signage, with a specific focus on the "Welcome to Shelburne" sign at the Town entrance.

THAT Council approved maintenance in the amount of \$800.00.

Acker-Ringer

M24-262

CARRIED

b) **Letter from Wolfgang Schricker regarding the Solid Waste Fee**

Councillor Acker concurred with Mr. Schricker's concerns, noting that she shares these sentiments. She expressed her own surprise at the budget increases during the last review period but acknowledged that these changes are beyond the Council's control.

THAT Council direct staff to write a letter responding to Mr. Schricker's concerns.

Acker-Ringer

M24-263

CARRIED

c) **Letter from THANS (Transition House Association of Nova Scotia) regarding National Shine the Light on Domestic Violence Campaign.**

Mayor Locke inquired whether there is an external light outside the Town Hall that we could use. Councillor Acker was shocked of the numbers of domestic violence.

THAT Council direct staff to investigate the possibility of installing a purple light on the outside of our Town Hall building in support for the National Shine the Light on Domestic Violence Campaign and encourages other businesses to do the same.

Ringer-Acker

M24-264

CARRIED

Information:

a) **Town of Shelburne Fall Newsletter 2024**

b) **Western Counties Regional Library Report – September 2024**

This was received for information purposes only.

Council Items:

a) Shelburne Volunteer Fire Department By-law Review

Mayor Locke raised several questions during the by-law review, specifically regarding conference expenses. He inquired whether the Town is expected to cover all conference-related costs, requesting details on the quantity and associated expenses. While not opposed to the initiative, Mayor Locke emphasized the importance of managing costs.

Councillor Acker requested clarification on why Council does not receive the Fire Department's financial records. She reiterated that Council's intent is not to assume control but, given that the Fire Department operates as a Town department, she recommended adding a by-law provision to provide Council with an annual financial review.

Councillor Ringer asked whether the expenses would be covered solely by the Town or if they would fall under shared services. Councillor Acker confirmed that costs would be covered under the existing agreement.

Lastly, Mayor Locke requested clarification regarding the section indicating the removal of RCMP officers as honorary members of the Fire Department.

THAT Council direct staff to get clarification from the Shelburne Volunteer Fire Department regarding item under: Article XII – General, #6, regarding the Fire Chief attending ANY events and paid for by the Town of Shelburne as well as item under: Article XIII – Honourary Members, regarding the removal of the RCMP as Honourable Members of the Shelburne Volunteer Fire Department and request that the yearly financial report of the treasurer be submitted to the CAO and Manager of Finance as well.

Acker-Ringer

M24-265

CARRIED

Committee Reports:

a) Western Counties Regional Library Board Meeting Minutes – June 20th, 2024

b) Source Water Protection Meeting Minutes – January 24th, 2024

Councillor Acker reviewed both items, noting that the WCRL has been diligently working on policy and by-law development.

She provided an update from the Source Water Protection meeting, where members met to complete the mandated Risk Assessment. Although quorum was met, attendees agreed that all members should review the updated plan in full. Following this review, a motion was passed to conduct a vote by email. This vote is anticipated to occur before the new Council convenes, and therefore, Councillor Acker requested that it be included on the agenda for the inaugural meeting of the new Council.

Staff Reports

a) CAO Report

CAO Mattatall provided a verbal update on several key items. Firstly, she addressed the Road Trails by-law signage, noting that the mapping for sign placement is underway, with final confirmation from the Province expected by November to connect the last segment of the trail.

Secondly, she highlighted the importance of emergency management and encouraged Council and the public to utilize the Voyent Alert system. She emphasized that this service is accessible not only to cell phone users but also to those with landlines, directing residents to the Town of Shelburne website for more information.

Additionally, CAO Mattatall sought Council's input on the potential closure of Mowatt Street on Halloween Night.

In closing, she extended her gratitude to Council on behalf of herself and Town staff for their support over the past four years and wished everyone success in the future.

b) Holiday Closure Staff Report

Mayor Locke addressed the topic first, noting that during Mayor, Warden, and CAO meetings, it was evident that our Town is among the few not yet implementing this practice, which he fully supports. Councillor Acker expressed her agreement.

CAO Mattatall referenced the report included in the meeting package, and Councillor Ringer added that this initiative would provide staff with a valuable opportunity to recharge, spend time with family, and begin the New Year with renewed energy.

THAT Council adopt the proposed holiday office closure procedure, giving staff paid leave from December 24th, 2024 to January 2nd, 2024 each year.

Ringer-Acker

M24-266

CARRIED

c) Noise By-law Amendment Staff Report

CAO Mattatall spoke to the report found in the package. She wanted to reiterate the reason we updated the noise by-law was to do with the Road Trails by-law and that this was just the date for the second reading.

THAT Council proceed with the second reading of this by-law amendment at the next Town Council meeting, November 18th, 2024.

Acker-Ringer

M24-267

CARRIED

d) Short Term Rental Report

Mayor Locke directed questions to Senior Planner Kahn, inquiring whether the rentals in question are classified as residential or commercial. Mr. Kahn clarified that they include a mix of both. Mayor Locke expressed that rentals, whether rooms or entire properties, should ideally be subject to commercial tax rates. Mr. Kahn noted that implementing this change would require an amendment to the Land Use By-law.

Councillor Acker supported the view that rentals should be taxed commercially, emphasizing fairness. Mr. Kahn agreed to further investigate the commercial assessment aspect, and he mentioned that the Town will soon have access to the province's registered short-term rental list. Councillor Ringer suggested that with this list, rentals could be taxed at the commercial rate, potentially generating additional revenue to help reduce overall commercial tax rates. Councillor Acker reiterated that a commercial rate for rentals aligns with equitable taxation practices.

THAT Council directs staff to consider regulation of short-term rentals as part of overall updates to the Municipal Planning Strategy and Land Use By-law.

Ringer-Acker

M24-268

CARRIED

- e) Water Treatment Plant Report
- f) Wastewater Facility Report
- g) Building Inspector Report – September

The above reports were reviewed for information only.

New Business:

Councillor Acker wanted to acknowledge the Empty Bowls fundraiser which took place this past Sunday. A new and exciting event initiated by Janet Sunberg, a local potter and resident. The funds raised will be shared between the Loyalist Food Bank and Our house. Once again, we have volunteers in our community that saw a need and stepped forward. Councillor Acker wanted to thank the local potters who donated the bowls and the restaurants who donated the soups. It was a wonderful community event. Councillor Acker also wanted to acknowledge that there is a new Pet Valu Store opening soon in the mall. Looking over the past several months, we have seen several small businesses open. We are moving forward. Many are looking forward to the opening of the new establishment at the Gosbee Sporting Site. Andrew Locke will be providing a business that will fit well with Shelburne County.

While out campaigning, Councillor Acker had many questions and concerns raised. She had compiled the list and brought to the CAO for review. She did hear one that may need action sooner than later, some residents have water issues and have been using Island Park for both showers and to get water. She asked that the CAO investigate and determine if we need to ensure that our residents can access water. She also mentioned that the Western Regional Library have developed a document on committees and gave to CAO. She feels this would be a great template for the Town of Shelburne's various boards to that new Council will have an idea of what the role of Town Committees and Boards are and which ones they should consider.

Lastly, Councillor Acker wanted to thank the Town Staff, her fellow Councillors as well as Mayor Locke for having the privilege of working with each one of them during the past four years. She is most happy with the work they did at the Council table and couldn't be happier with the dedication of the staff.

Councillor Ringer wanted to echo what Councillor Acker said as well as a lot of work that gets done around the council table, could not happen without community volunteers – thank you! Also, a thank you to Councillor Davis for his 12 years of service.

Mayor Locke said he would personally like to thank the staff – they are amazing. He said we are where we are after the last four years because of staff. A lot of development on the go, and he is looking forward to seeing it come to fruition.

Upcoming Meetings/Events

- a) Giant Pumpkin Festival and Regatta, Dock Street Area, October 12th, 2024.
- b) GRAND OPENING DATE, October 15th, 2024, 11am-1pm, New Town Hall, 162 Mowatt Street.
- c) Municipal Election, October 19th, 2024
- d) Trunk or Treat, October 31st, 2024, 5:30-7pm, Community Centre Parking Lot
- e) Next Town Council Meeting, November 6th, 2024, 6pm, Council Chambers for swearing in of new council.
- f) Business of Excellence Awards, November 7th, 2024, 6:00pm, 63 King Street, Shelburne Community Centre.

Adjournment

THAT the Regular Town Council Meeting of October 7th, 2024, be adjourned at 6:34pm.

Ringer



Town of Shelburne
Minutes of the Special Council Meeting
October 18th, 2024

Council Members Present

Mayor Harold Locke
Deputy Mayor Sheldon Ringer
Councillor Elizabeth Acker
Councillor Rick Davis

Staff Present

Chief Administrator Officer, Sarah Mattatall
Executive Coordinator, Jill Webb

Regrets

Councillor Ben Nickerson

Call to Order

Mayor Locke called the Council meeting to order at 3pm.

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 October 18th, 2024, Special Council meeting.

Acker-Davis

CARRIED

Council Items:

a) Janitorial Tender

CAO Mattatall went over the report presented to Council regarding the Janitorial Tender. She explained that as of now Russell Wilds is employed independently to clean the whole building, however, Russell is retiring and will be done at end of month. CAO Mattatall explained that four responses were received: two from independent cleaners and two from organizations. The RFT covers both the Town as well as the Canada Post area at 162 Mowatt Street. After a review of the proposals, it was agreed that although independent cleaners were lower-cost bids, they did not meet the full requirements of the RFT such as insurance, WCB coverage, bondability. This would increase the financial burden to the Town as we would have to absorb these costs. The two organizations that submitted were Scandinavian Building Services and Crystal Clean Maintenance. These organizations met all RFT requirements and have a built-in capacity to ensure continuity of service in case of sick calls or staffing issues which reduces the risk of service disruption. It was decided that even though these costs were higher than the budgeted cost, the reliability,

comprehensive service and mitigation of long-term risks related to insurance and WCB coverage make this option more sustainable.

THAT Council approve the award of the janitorial services contract to Scandinavian Building Services and authorize the transfer of up to \$15,000 from the operating reserve to cover any budget shortfall for this contract.

Acker-Davis

M24-269

CARRIED

b) Albert Acker Field Foul Ball Nets

CAO Mattatall spoke to the report given to Council. She explained that at a previous meeting Council asked staff to investigate the cost of installing a foul ball net to help residents in the area as well as installing signage for parking. She updated Council, stating that signs have been placed along Elliot Street to reduce traffic congestion and to discourage parking on both sides of the street. She then updated staff on the costs of installing foul ball nets. The cost of the foul ball net along with installation is estimated to be \$1658.99 + HST.

THAT Council approve the installation of the foul ball nets at Albert Acker Field to mitigate the risk of property damage and potential injury caused by foul balls.

Davis-Ringer

M24-270

CARRIED

Adjournment

THAT the Special Town Council Meeting of October 18th, 2024, be adjourned at 3:12pm.

Davis



Town of Shelburne
Minutes of the Swearing-in Ceremony
November 6th, 2024

Council Members Present

Mayor Elect Stanley Jacklin
Councillor Elect Donnie Acker
Councillor Elizabeth Acker
Councillor Elect Therese Cruz
Councillor Rick Davis

Staff Present

Chief Administrator Officer, Sarah Mattatall
Deputy CAO, Ken Smith
Finance Manager, Jane Crowell
Senior Planner, Mike Kahn
Finance Coordinator, Jennifer Perry
Executive Coordinator, Jill Webb
Human Resources Coordinator, Jessie Dyer

Call to Order

Deputy Mayor Sheldon Ringer called the Council meeting to order at 6pm.

Approval of the Agenda

THAT Council approves the agenda for November 6th, 2024, Council Swearing-in ceremony.

Acker-Cruz

CARRIED

Deputy Mayor Ringer took a moment to thank the outgoing Council for the last four years and to welcome the incoming Mayor and Council.

Swearing-In Ceremony:

At this time, Deputy Mayor Ringer welcomed Judge James Burrill and called Mayor Elect Jacklin to the podium to read the Oath of Office.

Judge Burrill congratulated Mayor Elect Jacklin on his personal behalf. After Mayor Elect Jacklin was sworn in he continued with each Councillor reading their Oath of Office.

Appointment of Deputy Mayor

At this time Mayor Jacklin appointed his Deputy Mayor stating that the position will rotate yearly and will start with Councillor Donnie Acker.

THAT the position of Deputy Mayor will rotate yearly between Councillors in alphabetical order beginning with Donnie Acker, year one, Elizabeth Acker, year two, Therese Cruz, year three, and Sheldon Ringer, year four.

Acker-Ringer

CARRIED

M24-271

Adjournment

That the Swearing in ceremony on November 6th, 2024, be adjourned at 6:11pm.

Acker

DRAFT



**Application
Request for Delegation/Public Presentation to
Council/Committees**

Meetings of Shelburne Town Council and Town Committees regularly take place at the Town Office, Council Chambers, 168 Water Street, Shelburne, Nova Scotia. Please call the Town Office to confirm meeting date(s) at 902-875-2991 Ext. 8 or check the Town of Shelburne website at www.shelburnens.ca.

No more than two (2) public presentations will be scheduled on the agenda of each Council meeting, each month. Each presentation is limited to fifteen (15) minutes. Presentations are scheduled on a first come, first serve basis.

This form must be returned properly completed and submitted no later than seven (7) calendar days prior to the meeting at which you wish to appear.

Name of Presenter: Benjamin Nickerson

Address: 109 Ohio Road, Shelburne

Phone: 902-212-1012 Email: bennickerson@gmail.com

Council/Committee you wish to appear before:

- Town Council
- Community Participation & Volunteerism Committee
- Port Committee
- Asset Management Committee
- Shelburne County East RCMP Advisory Board
- Accessibility Committee

Reason(s) you wish to appear before Council/Committee (provide a brief summary of presentation/identify specific requests for funding, if any):

To propose a town hall style meeting with the RCMP in this area and a higher up Provincial level officer to discuss the influx of crime and drug use in the area

Date of Council/Committee meeting at which you wish to appear: ~~Nov 4th~~ NOV. 18th, 2024

Are you representing:

- Yourself
- An Organization/Society/Club (Name): _____
- A Business (Name): _____
- Other (Please Specify): _____

If applicable, please attach a paper or electronic copy of your presentation to this application or submit it no later than the 12:00 p.m., the Wednesday before the Council/Committee meeting. Your presentation will be circulated to Councillors/Committee Members prior to the meeting to provide Council/Committee Members with an opportunity to review your submission.

Note: Failure to provide a paper or electronic copy of your presentation will result in the processing of this request to be delayed or your scheduled presentation postponed until the required information is received.

Please return the completed form to:

Jill Webb, Executive Coordinator Town of Shelburne, 168 Water Street, Shelburne, NS, jill.webb@shelburnens.ca (902) 875-2991 ext. 8, Fax: 902-875-3932.

Once you have read the document attached to this form, please confirm you have read and understand the conditions contained therein by signing this form in the space provided below.

I have read the attached document on making public presentations to Shelburne Town Council/Town Committee and understand the conditions under which an opportunity to make a presentation to Council or a Town of Shelburne Committee will be provided.

Signature

For Office Use Only:

Date Request Received: OCT. 21, 2024

Approved

Refused

Reason for Refusal: _____

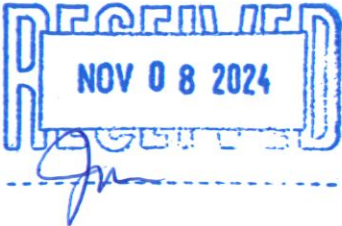
Applicant Notified

If Approved, Date of Presentation: NOV. 18th COUNCIL MEETING

Signature of Executive Coordinator/Committee Secretary [Signature]



**Application
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This form must be returned properly completed and submitted no later than seven (7) calendar days prior to the meeting at which you wish to appear.

Name of Presenter: SHELLEY NICKERSON

Address: 190 SHORE ROAD, SHELBURNE

Phone: 902-635-1219 Email: sjnickerson@hotmail.com

- Council/Committee you wish to appear before:
- Town Council
 - Community Participation & Volunteerism Committee
 - Port Committee
 - Asset Management Committee
 - Shelburne County East RCMP Advisory Board
 - Accessibility Committee

Reason(s) you wish to appear before Council/Committee (provide a brief summary of presentation/identify specific requests for funding, if any):

To Discuss Cadet Training Night

Date of Council/Committee meeting at which you wish to appear: November 18

- Are you representing:
- Yourself
 - An Organization/Society/Club (Name): RCSCC 180 SANDY SEA CAOETS
 - A Business (Name): _____
 - Other (Please Specify): _____

If applicable, please attach a paper or electronic copy of your presentation to this application or submit it no later than the 12:00 p.m., the Wednesday before the Council/Committee meeting. Your presentation will be circulated to Councillors/Committee Members prior to the meeting to provide Council/Committee Members with an opportunity to review your submission.

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Signature



For Office Use Only:

Date Request Received: _____

Approved Refused

Reason for Refusal: _____

Applicant Notified

If Approved, Date of Presentation: _____

Signature of Executive Coordinator/Committee Secretary _____

Good evening Mayor, Councillors, guests.

I stand before you this evening as President of the Shelburne Navy League, on behalf of RCSCC 180 Saxon Sea Cadets. I would first like to offer our most sincere thank you to the Town of Shelburne for your continued support of the Cadet Program. Part of my responsibility as President of the Navy League is to ensure the Corps has adequate training facilities and you make that possible. Without the use of the Community Centre the program would cease to exist. Thank you again – from each and every cadet that has walked through those doors and been a part of the program, and for all those who will continue in the future.

Recently Lt(N) Davis received an email from the Town advising that during training nights on the 1st and 3rd Monday of the month, Cadets could not use whistles(pipes) or bells and I am here to ask why?

The Cadet program has been in Shelburne since the 60's and in the Community Centre for approximately the last 12 years. A small, but dedicated Corps and even more dedicated staff, strive to keep the program alive. Why? Because our youth are our future.

We survived COVID and all the cuts made from DND and this year we welcomed 12 new cadets into the program. Recently we were honored to know that one of 180 Saxon Cadets successfully completed Basic Training and is in Meyford, Ontario waiting to move on to the next phase of his training. BRAVO ZULU Chief Oickle. This is why we do what we do.

You may not be aware, but the Cadet Program follows mandatory training guidelines the same as the Canadian Armed Forces. We teach discipline, instill confidence and respect, dress and deportment, drill, citizenship, community engagement, volunteerism and follow simple standards.

At the start of each training night, at approximately 1815 hours we begin with colors. At this time the bell is tolled 8 times (approximately 30 seconds). Then the piper pipes the still (8 seconds) the flag is risen and then the piper pipes the carry on (8 seconds). All total this takes approximately 5 minutes at most. Then training continues.

At the end of the training night they do sunset (approximately 2015 hours) during which time piper pipes the still (8 seconds) the flag is lowered and then the piper pipes the carry on (8 seconds).

Colors is a mandatory part of training. It symbolizes the beginning of the work day and also honors our flag, our country and all the veterans that came before us. How can we be told not honor our flag, country and veterans?

I am sure this was not the intent of Council.

During the many years we have been involved in the Cadet Program this is the first time anyone has ever come forward and told us we cannot carry out one of the most important parts of the Training Program.

I stress to you that our youth are our future. This program helps them grow into mature and responsible adults. We continuously give back to our communities. We help the Lockeport Legion Branch #80, Fire Departments, Town and Municipality. We have carried out community clean ups and participate in the Exhibition Parade, Giant Pumpkin Festival and Miracle on Dock Street. We also ensure that the Remembrance Day Service is carried out, lead the parade, assist with set up, laying of the wreaths and clean up. For many years we collected the food donations for the food bank and saw that it was delivered to them. Bottom line, when asked, there is nothing that these cadets haven't done wouldn't do for their communities.

Recently our officers discussed Colors in an attempt to come up with a plan that would work for both the Corps and the Town. We strongly feel that we cannot simply NOT DO COLORS. We however, would be willing to delay colors until 1830 hours to allow Council to begin their meeting and take a brief recess at 1830 for Colors to be held (3-5 minutes). Sunset is at 2015 hours, and to the best of my knowledge, Council meetings are typically over by that time. So this would be a small ask for the youth in our community who need this program to align with their future development and careers.

I would like to invite Mayor and Council to come over and watch the start of the training night. Watch Colors. Watch them complete a brief drill demonstration. See the pride they have in what they are learning. If you have ever attended our Annual ACR in June, you have seen them in action. If not, you should. It truly is an eye-opening night.

We are so proud of this program. What it instills in our youth. The opportunities it presents for them and their futures. What we can and do for our communities.

On behalf of The Navy League and RCSCC 180 Saxon I ask you to reconsider your request and work with us to find a solution for everyone.

Jill Webb

From: Sarah Mattatall
Sent: November 13, 2024 8:08 PM
To: Jill Webb
Cc: Ken Smith; Michael Kahn
Subject: FW: Request for Town Council to Seek Exemption for 10-Year Property Tax Break in Proposed Commercial Development District at Exit 26

From: harb Kaler <harbkaler@gmail.com>
Sent: November 13, 2024 6:19 PM
To: Sarah Mattatall <Sarah.Mattatall@shelburnens.ca>; Paul Khangura <paul.khangura13@gmail.com>
Subject: Request for Town Council to Seek Exemption for 10-Year Property Tax Break in Proposed Commercial Development District at Exit 26

CAUTION: This email originated from an external sender.

Dear Sarah,

I hope you're doing well.

I am reaching out to request that Town Council consider sending a formal letter to the Department of Municipal Affairs, seeking an exemption under Section 71C(4) for a 10-year property tax break with a ramp-up structure. This tax incentive would support the creation of a Commercial Development District bordering Exit 26, where we plan to develop a 50-room hotel despite the area currently lacking a water system.

A property tax exemption on a phased basis over 10 years would provide essential financial support during the critical early years of the hotel's operation. This initiative would not only create new economic opportunities but also enhance the region's appeal to visitors and travelers, ultimately boosting the local economy.

Please let me know if further information or discussions would be helpful to support this request.

Thank you for considering this matter, and I look forward to your response.

Warm regards,
Harb

Jill Webb

From: Jane Crowell
Sent: November 14, 2024 9:36 AM
To: Jill Webb
Subject: FW: letter mailed recently to the Town of Shelburne

Jane Crowell
(she/her)
Finance Manager
Town of Shelburne
162 Mowatt St (2nd Floor)
P.O. Box 670
Shelburne, NS, B0T 1W0
(o) 902.875.2991 Ext. 3
www.shelburnens.ca



The Town of Shelburne is located on the ancestral and unceded territory of the Mi'kmaq, (Mi'kma'ki), in the District of Kespukwitek, home to Acadia First Nation. We are all Treaty people. We also acknowledge the histories, contributions, and legacies of the African Nova Scotian people and communities.

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From: Conrod, Paul (RBC DS) <paul.conrod@rbc.com>
Sent: November 7, 2024 10:11 AM
To: Jane Crowell <Jane.Crowell@shelburnens.ca>; Sarah Mattatall <Sarah.Mattatall@shelburnens.ca>; Janice Mackinley <janice.mackinley@shelburnens.ca>
Subject: RE: letter mailed recently to the Town of Shelburne

Thank you, Jane for your very competent explanation.

Not only do I have an issue in not receiving the notice of the significant jump in assessment value from PVSC as I have not changed my address and thereby missing an appeal deadline, but this jump happened 2 years after my purchase and not 1 year after purchase.

To randomly increase taxes 64.8% seems unjust. This will be a town issue for many. The harmony between Shelburne's property owners and the town may be challenged here, affecting the future investment and growth of the community.

Next year's appeal likely will not be retroactive; therefore I will take you up on your kind offer to forward this communication to the new council members, as they are stakeholders here as well, in an attempt to support

and assist me through PVSC in 2024, before year end. Surely, there must be an override clause, for those not notified of huge increases.

I trust you and your team can understand that Shelburne's rents are not Halifax rents and therefore trying to make ends meet is tough, with higher expenses for repairs and insurance, which typically are unchallengeable, but I feel this PVSC assessment can be challenged, for the sake of maintaining good long standing relationship with towns and home owners.

I look forward to hearing from your new mayor or a town councillor.

Thank you.

Regards,

Paul

Paul G. Conrod | Senior Portfolio Manager & Investment Advisor
RBC Wealth Management | **RBC Dominion Securities Inc**
1959 Upper Water Street, Suite 1400, Purdy's Wharf Tower 1, Halifax, NS B3J 3N2
T. 902 421-8297 | 888-275-8796 | F. 902 425-0608 | Email paul.conrod@rbc.com | www.paulconrod.com

From: Jane Crowell <Jane.Crowell@shelburnens.ca>
Sent: Thursday, October 31, 2024 1:36 PM
To: Conrod, Paul (RBC DS) <paul.conrod@rbc.com>; Sarah Mattatall <Sarah.Mattatall@shelburnens.ca>; Janice Mackinley <janice.mackinley@shelburnens.ca>
Subject: RE: letter mailed recently to the Town of Shelburne

[External]/[Externe]

Good Afternoon,

Thank you for your email regarding your tax billing for the 2024/25 fiscal year. When looking over your account, I see that the assessment went from 167,600 in 2023 to 330,600 for 2024. Your assessment doubled which in turn, doubled your tax bill for 2024/25. Unfortunately, the Town of Shelburne gets the assessment information from Property Valuation Services Corporation (PVSC) and therefore we have no control over the assessment calculation process. The Town has expressed its concerns to PVSC regarding the huge jump in assessed values for many property owners within the Town of Shelburne as well as other Municipal Units.

As stated by PVSC –

The ***Nova Scotia Assessment Act*** requires PVSC to assess property at market value, and we use a process called **mass appraisal** to determine the value of over 645,000 property accounts every year.

We base property assessments on market evidence, not predictions. We analyze sales data and financial information as well as a variety of property characteristics to determine a property's value.

Your 2024 property assessment reflects:

- The market value of your property on **January 1, 2023**, based on market sales and information.
- The characteristics and physical condition of your property on **December 1, 2023**.

Nova Scotia municipalities use property assessments to calculate municipal property taxes. Property taxes make up about 80% of most municipalities' revenues, and fund services like garbage collection, sewage treatment, fire and police protections, parks, and other important community programs.

Property owners receive their assessment notices from PVSC in January with a deadline to appeal their assessment. You state that you never received any notice for this property from PVSC for the 2024 Appeal process. For your assessment to increase by such a large amount, there must have been some change to that property to reflect the huge jump. I see from your account that the property was transferred from Shelwood Holdings Ltd to Paul Geoffrey Conrod, 3143 Mayfield Ave, Halifax B3L 4B3 in March of 2022. I am assuming the increase in assessment is due to the sale price of the property when it was purchased. As we all have seen due to COVID, real estate sales have skyrocketed, and it is unfortunate that you did not receive the assessment notice from PVSC in order to appeal. My only suggestion to you is to be aware of the assessment notices being sent out in January 2025 and appeal your assessment for next year and if reduced would reflect in your tax bill next year. I can forward your email to the new Council for information, but under the Municipal Government Act, Council can't adjust taxes on a property in any given year except for destruction of property due to fire, etc. Please confirm your mailing address is correct with PVSC for your property in order for you to receive your assessment notice this coming January, and if you don't receive your Assessment Notice from PVSC, please contact them in order to get in under the timeline for the appeal process. I am sorry that I can't offer any other solutions to you regarding your tax bill for the 2024/25 fiscal year.

Yours truly,

Jane

Jane Crowell
(she/her)
Finance Manager
Town of Shelburne
162 Mowatt St (2nd Floor)
P.O. Box 670
Shelburne, NS, B0T 1W0
(o) 902.875.2991 Ext. 3

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From: Conrod, Paul (RBC DS) <paul.conrod@rbc.com>

Sent: October 31, 2024 8:50 AM

To: Sarah Mattatall <Sarah.Mattatall@shelburnens.ca>; Jane Crowell <Jane.Crowell@shelburnens.ca>; Janice Mackinley <janice.mackinley@shelburnens.ca>

Subject: letter mailed recently to the Town of Shelburne

CAUTION: This email originated from an external sender.

To: The Town of Shelburne, NS.

Good morning.

Being an 11th generation Nova Scotian, and a good tax paying property owner through Nova Scotia, I was appalled by the recent tax billing of **\$9192.31** for my property at 3 Victoria St in Shelburne. I paid taxes of **\$5026.45** in 2022 and **\$5575.16** in 2023. (My **2023 Property Assessment Notice (AAN 04242882)** shows a Taxable Assessed Value of **\$167,600**)

I called your town office weeks ago, only to be notified that the discussion will be unfruitful, as I must reach out to Property Valuation Services Corporation, as it is their court.

I called the 1-800-380-7775 PVSC number to be told that I am too late for "an appeal". I received ZERO notification previously of my property assessment jumping 64.8% !, hence I knew nothing about some mysterious giant leap in property taxes owing. Had I been notified, I would have been forthright on the appeal process. This must be an oversight and must be corrected.

The Town of Shelburne collects the property taxes from property owners and apparently have no input into determining valuations in town, as it lies entirely with PVSC, I was told. Numerous calls to PVSC have been unanswered which has been frustrating. The town has a vested interest in bringing resolution to this issue. Your economic rebound is wonderful to see and should not be stalled out with these nagging issues.

I have enclosed a cheque for last year's property taxes, **\$5575.16** without paying the difference, as this **\$9192.31** invoice must be an incorrect billing, and will not stand up.

All NS jurisdictions in which I have property have been reasonable with modest increases. I do not wish to elevate this beyond your town and PVSC. I am sure your new Mayor and council will take sides here and assist me, in doing what is correct. There must be moral suasion with PVSC to defend these issues for the town's property owners, as it can be detrimental to the town's success going forward.

I have no intention of selling my Shelburne County properties because of this development. But if the press ever finds out this is happening to Shelburne taxpayers, the outlook for new future property owners and investment in town would soon become bleak, with negative sentiment.

Cooler heads must prevail to have this worked out. Please elevate this situation and have someone reach out to me, asap, to help correct this apparent oversight, via email below or cell 902-221-4322.

Thank you.

Kind regards,

Paul G. Conrod

Paul G. Conrod | Senior Portfolio Manager & Investment Advisor
RBC Wealth Management | **RBC Dominion Securities Inc**
1959 Upper Water Street, Suite 1400, Purdy's Wharf Tower 1, Halifax, NS B3J 3N2
T. 902 421-8297 | 888-275-8796 | F. 902 425-0608 | Email paul.conrod@rbc.com | www.paulconrod.com

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15th Annual Phil Callan Memorial Basketball Classic

Dear Community Partners,

The Shelburne Regional High School Girls and Boys Basketball teams will be hosting the 15th Annual Phil Callan Memorial Basketball Classic on **November 21 - 23, 2024**. This year's event will include 4 girls teams (SRHS, Springhill, Yarmouth, West Kings) and 4 boys teams (SRHS, Lockeport, Barrington, Yarmouth).

This annual event honors the life of Phil Callan, coach of the SRHS Sr Girls Basketball program for 15 years, who passed away in November 2009, from colon cancer. He was a loving husband, father, grandfather and friend.

To help fund the tournament, we are hoping for financial assistance from businesses in the Shelburne area in the form of \$100.00 sponsors. If you are willing to support us in any way, please contact coach Nick Gray (780-502-5473), coach Darren Jacklin (874-1810), coach Danyelle Rapp (874-1898), coach Mike Shand(875-7748).

Your sponsorship will be put forth to help cover the many expenses associated with the tournament. All sponsors will be recognized in the Tournament Program as well as with PA announcements during the tournament.

Sincerely,

Nick Gray/Danyelle Rapp - Sr. Girls Basketball coaches

Darren Jacklin/Mike Shand - Sr. Boys Basketball coaches





July 11, 2024

Honourable Diane Lebouthillier
 Minister of Fisheries, Oceans and the Canadian Coast Guard
 House of Commons
 Ottawa, ON K1A 0A6

Subject: Concerns Regarding Mediation in Treaty Fishing Rights and Elvers Quota Allocation
 Email: diane.lebouthillier@parl.gc.ca
min@dfp-mpo.gc.ca

Dear Minister Lebouthillier,

On behalf of the five municipalities of Shelburne County, we write to express our concerns regarding two significant issues currently impacting our region's fisheries management: the mediation process in treaty fishing rights disputes and the recent decision concerning the elvers quota allocation.

The Nova Scotia Supreme Court's recent decision to adjourn trial dates and encourage mediation until December 12, 2024, has raised considerable concerns. We support the Unified Fisheries Conservation Alliance's (UFCA) assertion that mediation must include all affected stakeholders, particularly commercial fishers, and must operate transparently to ensure fair representation and just outcomes.

Additionally, we are troubled by the Federal Government's consideration to allocate up to 50% of the elvers quota to First Nation groups without transparent methodology or consultation with the local commercial fishing community. This approach not only deviates from the commitments to transparency and inclusivity made by MP Mike Kelloway last year but also risks exacerbating tensions between commercial fisheries and First Nations.

The exclusion of commercial fishers from these critical discussions not only undermines the fairness of the process but may also lead to solutions that are not comprehensive or sustainable. It is essential that all changes to quota distributions or rights interpretations are preceded by thorough consultations and clear communications to avoid further conflicts and ensure the long-term health of our fisheries.

As you know, decisions relating to fishing rights and allocation of fishing quotas can directly affect the income of local fishers and the broader economic stability of communities reliant on the fishing industry. Fair and balanced decisions can enhance economic growth and ensure sustainable fishing practices, benefiting the entire region. Conversely, perceived inequities in quota allocation can lead to economic hardship,

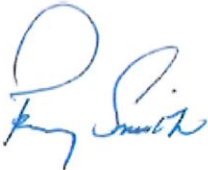
exacerbating tensions between Indigenous and non-Indigenous fishers. These tensions often escalate when decisions are announced, posing substantial risks to public safety through potential conflicts and confrontations. Effective and transparent decision-making is essential to mitigate these risks, ensuring both economic stability and community harmony.

We urge the Department of Fisheries and Oceans to advocate for a mediation process and quota management decisions that are inclusive, transparent, and respectful of the rights and responsibilities of all stakeholders, including the commercial fisheries. These issues must be approached with a commitment to fairness and sustainability to ensure the enduring prosperity of our fisheries and the communities that depend on them.

Thank you for considering our position. We look forward to your support in ensuring that future government actions in fisheries management are transparent and involve all necessary stakeholders; thus, truly representing and respecting the diverse interests at play.

Yours Sincerely,

Warden Penny Smith
Municipality of Shelburne



Warden Eddie Nickerson
Municipality of Barrington



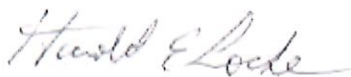
Mayor Rex Stoddard
Town of Clark's Harbour



Mayor Cory Nickerson
Town of Lockeport



Mayor Harold Locke
Town of Shelburne



Cc: Mike Kelloway, MP – Cape Breton-Canso
Chris d'Entremont, MP – West Nova
Rick Perkins, MP – South Shore-St. Margarets
Nolan Young, MLA – Shelburne
Warden Danny Muise - Municipality of Argyle
Mayor Pam Mood - Town of Yarmouth
Warden John Cunningham - Municipality of Yarmouth
Mayor Ben Cleveland - Town of Digby
Warden Linda Gregory - Municipality of Digby
Warden Yvon LeBlanc - Municipality of Clare



4 October 2024

The Honourable Barbara Adams
Minister of Justice and Attorney General for Nova Scotia

Department of Justice
1690 Hollis Street
P.O. Box 7
Halifax, NS
B3J 2L6

Email: justmin@novascotia.ca

Subject: Request for an Organized Crime Unit in South West Nova Scotia

Dear Minister Adams,

We write to you with deep concern regarding the alarming rise in violence and criminal activities that continue to threaten the safety and livelihood of our communities, particularly within the high-value fishing sectors in Nova Scotia. The current situation, marked by acts of arson, assault and property damage demands swift and decisive intervention.

The challenges we face are far-reaching and extend well beyond the sphere of marine resource management. We are now observing indicators of organized crime activity in the area, including increased coordination among individuals exploiting existing enforcement gaps, operating with little fear of reprisal due to the high-profit, low-risk nature of their crimes.

Furthermore, fisheries crime has not received the attention it deserves as a serious criminal issue. Too often, these offenses have been seen through the narrow lens of regulatory breaches rather than being treated as the significant threats to public safety and economic stability that they truly are. The leniency in penalties has only emboldened criminal elements to further entrench their operations.

We urge the immediate provision of additional law enforcement resources to support the efforts of local detachments. The scope of crime affecting our region has far surpassed illegal fishing and has now become a full-fledged public safety crisis.

It is more important than ever that we address this matter following the apparent inaction of the Federal Department of Fisheries and Oceans (DFO) in enforcing existing regulations. The situation is rapidly

deteriorating, and we are facing the consequences of unchecked criminal activity and are concerned it will expand into Shelburne County. Inaction is not an option.

We strongly advocate for a coordinated and multi-agency response, encompassing collaboration among law enforcement bodies at all governmental levels. This includes enhanced intelligence-sharing and cooperation with international partners, as well as the active involvement of agencies such as CBSA, labour, and tax authorities. It is only through such a comprehensive approach that we can begin to dismantle the organized criminal networks currently operating with impunity.

Given the escalating violence, especially in the region of Clare, and the increasing risk to public safety, we also encourage you to form an Organized Crime Unit. Dedicated investigative teams, equipped to target and dismantle criminal organizations at their core, are urgently needed. The failure to act decisively in this moment risks not only the security of our communities but also the integrity of our natural resources and the rule of law itself.

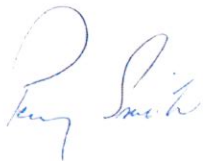
We appreciate your attention to this urgent matter and stand ready to collaborate with your office to address these pressing needs. Our communities depend on swift and effective action to ensure a safer and more secure future.

Yours Sincerely,

Warden Penny Smith
Municipality of Shelburne

Warden Eddie Nickerson
Municipality of Barrington

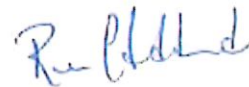
Mayor Rex Stoddard
Town of Clark's Harbour



Mayor Cory Nickerson
Town of Lockport



Mayor Harald Locke
Town of Shelburne



- Cc: Chris d'Entremont, MP West Nova
Rick Perkins, MP South Shore-St. Margarets
Minister Dominic LeBlanc
Minister Kent Smith
Maritime Fisherman Union
Municipalité de Clare
Jeff LeBlanc, RCMP
Mark MacPherson, RCMP
Warden Yvon LeBlanc - Municipality of Clare



Town of Shelburne Staff Report to Town Council Noise Control By-law November 2024

Date: November 18th, 2024

Re: Town of Shelburne Amendment of Noise By-Law to accommodate Road Trails By-Law

PURPOSE

To propose amendments to the Noise Control By-law to better align with the recently enacted Roads Trails By-law. These amendments address Off-Highway Vehicles (OHVs) usage within town limits, seeking to minimize noise disturbances in residential and public spaces.

BACKGROUND

The recent Roads Trails By-law, which regulates the use of designated road trails within the Town of Shelburne, allows limited and regulated access for Off-Highway Vehicles (OHVs) on designated paths. However, with the potential for increased OHV activity on these road trails, there is a need to revise the existing Noise Control By-law to ensure community peace and address resident concerns regarding noise disturbances.

On July 15th, 2024, Council had passed the Road Trails By-law, following the rules and regulation the province has put in place under the Road Trails act Bill 273.

On October 7th, 2024, Council approved proceeding with the Noise Control By-law.

PROPOSED AMENDMENTS

Two key amendments are proposed for the Noise Control By-law:

1. Definition of OHV (Off-Highway Vehicle):

For clarity and alignment with the Roads Trails By-law, the following definition will be added to the Noise Control By-law:

“OHV” off-road vehicle (ORV), sometimes referred to as an off-highway vehicle (OHV), overland vehicle, or adventure vehicle, is considered to be any type of vehicle that is capable of driving off-road on non-paved surfaces, such as trails and forest roads that have rough and low-traction surfaces.

2. Restrictions on OHV Operation within Town Limits:

This amendment specifies operating times and conditions for OHVs within town limits to prevent noise disturbances. The new provisions will state:

- No person shall operate an off-highway vehicle within town limits unless on private property or on designated road trails during a time window of a half hour before sunrise and a half hour after sunset.

- The use of OHVs on private property shall not cause a noise disturbance between the hours of 10:00 p.m. and 7:00 a.m.

These amendments aim to balance the recreational use of OHVs with the need for quiet in residential areas and other public spaces. By clearly defining OHVs and limiting their use to specific times, the Town can support responsible OHV activities while protecting residents from excessive noise during sensitive hours.

RECOMMENDATION

THAT Council approve the second reading of the Noise Control By-law to better align with the Roads Trails By-law and address community concerns regarding noise disturbances caused by OHV use.

Respectfully Submitted,

Dana Nash
By-Law Enforcement

Appendix

- A. Roads Trails By-law
- B. Draft Amended Noise Control By-law



TOWN OF SHELburne

NOISE CONTROL BYLAW

A BY-LAW RESPECTING REGULATION AND PROHIBITION OF CERTAIN NOISES

Be It Enacted by the Council of the Town of Shelburne, under the authority of the Municipal Government Act, S.N.S. 1998, Chapter (18),as follows:

1. This By- Law shall be known as, and may be cited as, the "NOISE CONTROL BYLAW".

Definitions

2. In this Bylaw, words take their ordinary dictionary meaning other than those defined below:
 - (a) "Council" means the Town Council of the Town of Shelburne;
 - (b) "Town" means the Town of Shelburne;
 - (c) "construction" includes erection, alteration, repair, dismantling and demolition of structures and includes structural maintenance, hammering, land clearing, moving of earth, rock or felled trees, rock breaking, grading, excavating, the laying of pipe or conduit whether above or below ground level, working with concrete, alteration or installation of any equipment, the structural installation of construction components or materials in any form whatsoever, the placing or removing of any construction related materials and includes any work in connection therewith; but does not include blasting;
 - d) "construction equipment" means any equipment or device designed and intended for use in construction or material handling including but not limited to air compressors, air tracks, hydraulic breakers, excavators, dozers, pile drivers, pneumatic or hydraulic tools, tractors, trenchers, cranes, derricks, loaders, backhoes, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders and other material handling equipment;

- (e) "motor vehicle" includes an automobile, a motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; gravitational or wind power except a motorized wheelchair; a vehicle running upon rails, a farm tractor or self-propelled implement of husbandry, and an off-highway vehicle as defined from time to time in the Off-Highway Vehicles Act;
- (f) "public address system" means any system comprised of one or more of the following, and in any combination: loudspeaker, amplifier, microphone, turntable, reproducer, receiver or tuner, where such equipment is part of a system used to reproduce or amplify sound;
- (g) "emergency response person" includes, police, fire departments or brigades, registered emergency services providers, search and rescue personnel, provincial, regional or municipal Emergency Measures Organizations, ambulance or emergency health services providers and includes volunteer or military personnel responding to an apparent condition of emergency;
- (h) "point of reception" means any point on premises or premises containing a dwelling unit where sound, originating from other premises, including other dwelling units, is received;
- (i) "OHV" off-road vehicle (ORV), sometimes referred to as an off-highway vehicle (OHV), overland vehicle, or adventure vehicle, is considered to be any type of vehicle that is capable of driving off road on non-paved surfaces, such as trails and forest roads that have rough and low-traction surfaces.

Prohibitions and Interruptions

3. No person shall, within the Town boundaries engage in any activity which is likely to generate noise or sound that unreasonably disturbs the peace and tranquility of a neighbourhood. For the purpose of this section evidence that all immediate neighbours are unreasonably disturbed by a noise is prima facia evidence;

BYLAW

4. Without limiting the generality of section 3, the activities or noises listed in Schedule A and Schedule B, during the proscribed times as set out therein, are deemed to be activities which are likely to generate noise or sound that unreasonably disturbs the peace and tranquility of a neighbourhood if the sound resulting from the activity is audible at a point of reception. Owners and occupiers who create excessive noise shall be liable to a penalty;
5. No person shall operate an off-highway vehicle within town limits unless on private property or on designated road trail a half hour before sunrise and a half hour after sunset. The use of OHV on private property should not cause a noise disturbance between the hours of 10 pm and 7 am.

Fixed Exemptions

6. This By-Law does not apply to:
 - (a) emergency response personnel engaged in the execution of their emergency response duties: or;
 - (b) persons acting at the request of emergency response personnel during an actual or apparent emergency condition;
 - (c) without limiting the generality of the foregoing, noises caused by emergency response vehicles and air ambulances are specifically exempt from prosecution.

Notwithstanding

7. Any other provisions of this By-law, this By-law shall not apply to or proscribe:
 - (a) employees of the Town, Municipality of the District of Shelburne, Government of Canada, Province of Nova Scotia, Shelburne Public Service Commission, the Nova Scotia Power or and telecommunications companies and their contractors and employees when acting in the reasonable execution of their duties between 7:00 a.m. and 10:00 p.m. in the day;
 - (b) noises in connection with organized athletic or recreational activities in a municipal park area, arenas or community centers between 5:00a.m. and 1:00 am;
 - (c) noises from the organized and scheduled activities and events of festivals, parades, street dances, rallies, or other community activities, funded, sponsored or licensed by the Federal or Provincial

government or the Town of Shelburne until 1:00 am;

- (d) noises emitted by Town-owned machinery or equipment when used in the normal course of performing Town services;
- (e) noises resulting from the operation of any refrigeration unit which is attached to a refrigeration truck if refrigeration truck is parked;
- (f) noises emitted by audible pedestrian signals;
- (g) the emission of sound in connection with calls to worship, ringing of bells at places of religious worship, or services of religious worship;
- (h) the emission of sound in connection with any organized traditional, festive or religious activity celebrating:
 - (i) Canada Day,
 - (ii) New Year's Eve or
 - (iii) religious holidays
- (i) the emission of sound in connection with emergency measures that are undertaken for:
 - (i) for the immediate health, safety or welfare of an individual
 - (ii) for the preservation of property

Grant of Exemption by Council

- 8. Notwithstanding anything contained in this By-Law, any person may make application to Council to be granted an exemption from any of the provisions of this By-Law with respect to any emission of noise from which that person might be prosecuted for a period of no more than six (6) months. Council, by resolution, may grant an exemption or refuse the request. Refer to Appendix C for more information.

Penalties

9. Any person who contravenes any provision of this By-Law is guilty of an offense, and is punishable on summary conviction by to a fine of not less than One Hundred Dollars (\$100.00) as follows:

First Offence: \$100.00
Subsequent Offence: \$400.00

Subsequent offences are offences that take place after the first offence within the same calendar year.

10. This By-Law shall have effect with respect only to noises emitted within the boundaries of the Town of Shelburne.

Repeal

11. Chapter 160 of the By-Laws OR By-Law of the Town of Shelburne entitled the "Noise Control By-Law" is hereby repealed and replaced by this Bylaw. This bylaw repeals and supersedes any previous Noise Bylaw for the Town of Shelburne.

Town Clerk's Annotations:
Date of Original Bylaw: May 19, 2010
Date of Amended Bylaw 1st Reading: ~~July 20th, 2020~~
Date of Advertisement: ~~August 7th, 2020~~
Date of Amended Bylaw 2nd Reading: ~~September 8th, 2020~~
Advertisement of Passage: ~~December 16, 2020~~
Mailed to the Minister:

Karen Mattatall, Mayor

Julie Ferguson, Town Clerk

Stanley Jacklin, Mayor

Sarah Mattatall, CAO

Schedule "A"**Activities proscribed at all times:**

1. The operation of any combustion engine or pneumatic device without an effective exhaust or intake muffling device, in good working order and in constant operation. Modified or aftermarket mufflers that create excessive noise are subject to penalty under this bylaw;
2. The operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to an improperly secured load or equipment or inadequate maintenance;
3. The operation of a motor vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices;
4. The detonation of explosive devices not being used in construction or quarrying. Fireworks may be used for statutory holidays. Any other uses must be given a permit from the with approval from the CAO (See Appendix A);
5. The discharge of firearms except when used as a signaling device in a sporting competition. For other uses, individuals must receive a permit from with approval from the CAO under such conditions as are set forth in the Provincial Fire Arms Regulations. (See Appendix A);
6. Persistent barking, howling or other persistent noise-making by a dog or other animal owned or possessed by the occupant of the premises;
7. Prolonged idling of an engine. Exemptions to this clause include: longer idling period per manufacturer's instructions, weather conditions, and not-for-profit vehicle maintenance.
8. The operation of any item of construction equipment in a residential area without effective muffling devices in good working order and in constant operation;
9. No person shall, within the limits of the Town of Shelburne, do any blasting or cause any blasting to be done without first having obtained a written permit from the CAO / Town Planner. (See Appendix B)

Schedule "B"**Activities proscribed between the hours of 10 pm – 7 am:**

1. The operation in the outdoors of any power tool for domestic purposes other than snow removal or emergency repair situations.
2. Yelling, shouting, hooting, whistling, singing or playing musical instruments;
3. The loading or unloading of any containers, products, materials or refuse with the exception of private household effects;
4. The operation of any public address system, sound system, or audio/visual equipment in a manner such that the sound from the equipment being operated is audible beyond the bounds of the property from which the noise is emitted;
5. The operation of any motorized conveyance other than on a street or other place intended for its operation;
6. The use or operation of construction equipment, except where such equipment is used or operated on any highways;
7. The use of Off-Highway Vehicles, Snowmobiles, or Dirt Bikes on private property, unless for loading or unloading purposes. This proscription also applies to mechanical work performed on such vehicles.
8. The operation of a garburator, solid waste bulk lift, refuse compacting equipment or hydraulic dumpster associated with a commercial enterprise;
9. All selling or advertising by shouting, outcry or amplified sound;
10. The venting, release or pressure relief of air, steam or other gaseous material, product or compound from autoclave, boiler pressure vessel, pipe, valve, machine, device or system.

Appendix A

Application for a Special License to Discharge a Firearm

***This Special License is required to discharge a gun, air rifle, bow and arrow, or any other type of firearm within the Town of Shelburne. It also applies to the release of fireworks outside of a statutory holiday.**

Name: _____

Civic Address: _____

Phone Number: _____

Email: _____

Location of Event: _____

Time of Event: _____

Category (check one):

Gun Club

Bow & Arrow

Air Rifle

Fireworks

Re-enactors

Film Industry

Requirements:

Gun Club

- Anyone who wishes to start a gun club must initially meet with the CAO / Town Planner to look at the location of the proposed club in order to get a letter of permission.
- Applicant must then apply for the proper license through the Department of Justice Provincial Firearms Office (Canadian Firearms Program).
- Applicant must present approved provincial license to the Town and agree to any conditions set by the CAO in regards to Noise and hours of operation prior to consideration for a permit.

Bow & Arrow

- Any bow and arrow range application must be presented to the CAO / Town Planner. Drawings of the layout and measurements between buildings required.
- Proof of proper backdrop or netting
- Proof of insurance for recreation groups

Air Rifle

- For pellet guns or air rifles that fire at less than 500 feet per second.
- Permit for target practice and/or pellet gun events
- Must present proposed location and safety measures to CAO / Town Planner

Fireworks

- For a special display of fireworks, residents must first be granted permission by their adjacent neighbours and have, on their property, a wide and clear site that is away from all obstacles. Proof of neighbor permission is required.
- Fireworks must not be set off after 11 pm.
- Residents must discuss their fireworks display plan with the CAO in regards to containment and safety. Fireworks must have a base halfway in a container of earth or sand, unless the label indicates otherwise, and should be pointed away from people and structures.

Re-enactors / Muesums

- Must present proof of Provincial licensing for weapons (Canadian Firearms Program)
- Must present proof of insurance

Film Industry

- Replica firearms are prohibited devices in Canada and the proper procotols should be adhered to if using them in a Film. Refer to the Canadian Firearms Program for information about possessing, acquiring, borrowing, storing, and transporting replica firearms.
- If replica firearms or gun powder will be used in filming, a permit is required from the CAO prior to filming. Owners of properties in close proximity will be notified of potential noise. Any explosive noise after 10 pm should be noted in application.

Appendix B

Blasting Permit

***This Special License is required to conduct any blasting within the Town of Shelburne.**

Name: _____

Civic Address: _____

Phone Number: _____

Email: _____

Location of Event: _____

Time of Event: _____

Requirements:

- **Liability Insurance in the minimum amount of Three Hundred Thousand Dollars (\$300,000).**
- **"Blasting Certificate" proof of qualifications**
- **Blasting Plan which includes a suitable mat to prevent debris from escaping the blasting area**

All blasting done in the Town of Shelburne will be performed in accordance with such standards as may from time to time be imposed by statute or regulation within the Province of Nova Scotia.

Approved by:

CAO

Date of Approval

This license will expire within 3 months of application. Any changes to the project Timeline **MUST** be expressed to the CAO.

Appendix C

Application for a Grant of Exemption by Council

*Town Council may grant an exemption to the Noise bylaw with respect to any emission of noise from which that person might be prosecuted for a period of no more than six (6) months.

Name: _____

Civic Address: _____

Phone Number: _____

Email: _____

Reason for Request: _____

Location of Event: _____

Time of Event: _____

Requirements:

- Abide by any Terms and Conditions set forth by Town Council
- Background material for Council review

Rights of Council:

In deciding whether or not to grant an exemption under section 11 or in determining terms or conditions of the exemption, Council shall give consideration to:

(a) the social or economic benefit of the proposed activity to the Town, the views of any residents of the Town;

(b) volume, nature and consistency of noise emission associated with the proposed activity;

(c) the proximity and nature of abutting or adjacent land uses;

(d) the hours of operation of the proposed activity;

(e) any other factor relevant to balancing the interests of the applicant in the proposed activity against the interests of those persons who might be disturbed by the proposed activity.

BYLAW

Any contravention of the terms or conditions of an exemption shall constitute a contravention of this By-Law. In addition to any other available remedies for such contravention, the By-law Enforcement may on reasonable and probable grounds, without a hearing, suspend an exemption for a period of up to 30 days pending Council review of the exemption or issue a summary of offence ticket.

Any exemption pursuant shall be reviewable by Council at any time upon 10 days notice to the person exempted, and Council is free to revoke, suspend or restrict the exemption with or without cause having regard to the criteria set forth in this application form.

Public Input:

Applications for an exemption for an activity of less than 14 days duration do not require a public hearing pursuant to this application or notice by the Town, but all other exemptions, renewals of exemptions, or amendments expanding the scope of an exemption shall only be granted after a public hearing at which Council shall give the applicant and any person interested in the application an opportunity to be heard. It is advisable that applicants speak to adjacent property owners prior to application.

For applications that are longer than 14 days, ten (10) days notice of time, date and purpose of a public hearing shall be mailed by the applicant to the assessed owner or owners, as shown in the records of the Town Office, of each property which contains a building located within 150 meters (492 feet) of the property which will be the subject of the hearing, except that where the exemption is sought for an outdoor event not conducted at a fixed location.

BYLAW

Date of Council Meeting for Application Review: _____

Date of Public Hearing (if applicable): _____

Approved

Denied

Conditions:

CAO _____

Mayor _____



TOWN OF SHELBURNE

Road Trails Designation By-law

BYLAW

WHEREAS, pursuant to the Municipal Government Act, 1998, C18, Section,171,174 and amendments thereto, the Town of Shelburne has the power to pass a Bylaw within the Town;

WHEREAS the *Road Trails Act, SNS 2023, c.4* permits the Town of Shelburne by By-Law to designate a highway or part of a highway as a road trail.

Short Title

1. This By-Law shall be cited as the "*Road Trails Designation By-Law*".

Definition

2. In this By-Law:
 - (a) "**Highway**" means a public highway, street, lane, road, alley, park, beach, or place, including the bridges thereon and private property that is designated to be and is accessible to the general public for the operation of a motor vehicle; and
 - (b) "**Road Trail**" means the shoulder and travelled portion of a highway designated under this By-Law but does not include a ditch.

Designation

3. The Town hereby designates approximate 208 meters of Spa road, King Street to corner of Water Street, all of Water Street, all of Falls Lane and Ohio Road not beyond the Highway 103 intersection as a Road Trail within the meaning of Section 5 of the *Road Trails Act*.

Amended route-removed all of King Street, changed to King street to the corner of King and Water Street.

BYLAW

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 15th day of July , 2024.

GIVEN under the hand of the Clerk and the corporate seal of the Town of Shelburne said Town this 15th day of July , 2024.

DATE OF FIRST READING	June 3, 2024
DATE OF NOTICE OF PUBLIC HEARING PUBLICATION	July 4, 2024
DATE OF SECOND READING	July15,2024
DATE OF PASSAGE	
DATE MAILED TO MINISTER	Oct 1, 2024
DATE OF MINISTERIAL APPROVAL	

Mayor, Harold Locke

CAO, Sarah Mattatall

Amended route-removed all of King Street, changed to King street to the corner of King and Water Street.

Proposed Recommendations from Code of Conduct Working Group

The Code of Conduct Working Group (COCWG) has developed their proposed recommendations for the code of conduct regulations for the Department of Municipal Affairs and Housing (DMAH) to review. The 25 recommendations below reflect the consensus opinion from the COCWG.

Application:

- There should be one code for all municipalities and villages.
- The code of conduct should operate together and as a supplement to other applicable laws, including the bylaws and policies with the municipality or village.
- The code of conduct should apply to elected officials at all times with respect to their behaviour regarding any action that negatively impacts the municipality or tarnishes its reputation.
- Nothing in the code of conduct is intended to silence elected officials from sharing or expressing dissenting opinions.
- The code of conduct should apply from the time elected officials are declared elected until their resignation, their disqualification, or their successor being sworn into office.

Content to include:

- The code will include 45 provisions under various headings (e.g. general conduct, confidential information, etc.) See Appendix A for detailed provisions.
- 13 possible sanctions that can be imposed on a member for breaching the code of conduct. See Appendix B for the sanctions.
- 7 considerations elected officials shall evaluate before they can impose a sanction. See Appendix B for detailed considerations.
- Failure to comply with a sanction imposed is considered a breach of the code itself and will go to council with the investigator's recommendation only.

Complaint and investigator process:

- Municipalities and villages will appoint an investigator and have their contact information readily available on their website. See Appendix C for detailed complaint and investigator process.
- Investigators should have experience in conducting investigations, and experience applying the principles of natural justice and procedural fairness.
- No conflict of interest can exist between the investigator and the parties involved.
- A complaint can be submitted no later than 6 months from discoverability.
- The CAO/Clerk shall be notified by the investigator that a complaint has been received and Council/Commission shall be notified if a complaint makes it to the investigation stage.

- The investigators report shall be brought to council/commission no later than 6 months from the time the complaint is received by the investigator. Extensions may be granted by council/commission for extenuating circumstances.
- Any complaints brought forward during the municipal election period between nomination day and ordinary polling day will not be investigated until the election has concluded.
- A member who has a complaint lodged against them will be able to review and respond to the information in the investigators report prior to council's vote.
- A member who has had a complaint lodged against them, or who has made the complaint, may not participate in the vote on whether there was a breach, and if applicable, may not participate in the decision regarding what sanction to impose.
- The Code of Conduct will state that a decision of a Council on a code of conduct matter is final and binding on all parties.
- At the conclusion of the investigation, require public disclosure of the section a complaint was lodged under, and the investigator's recommendation.

Training:

- Elected officials should be required to complete the training within 30 days of being sworn into office and failure to do so is considered a breach of the code itself and may go to council without an investigation.
- Any breach of the code determined by council shall result in additional code of conduct training for the person who committed the breach.
- Training to be developed and delivered in an online module format with quizzes and a minimum pass rate to ensure a minimum level of understanding.

Review:

- A review on the code of conduct shall begin 3 years post implementation to consider the effectiveness for municipal elected officials.
- Review the Municipal Elections Act (MEA) to see if there is potential to reduce the gap between the sanctions in the code of conduct and the Municipal Elections Act.

Appendix A: Recommended Prescribed Code of Conduct

The recommended prescribed code of conduct would be applicable to all municipalities and villages with separate codes being developed to reflect the difference in terminology (e.g. village versus municipality, Chief Administrative Officer versus Clerk).

Code of Conduct shall apply to elected officials from the time that they are declared elected until:

- a) their resignation;
- b) their disqualification while in office; or
- c) their successor is sworn into office, or, if there is no successor, until the meeting at which the successor would have been sworn into office if there was a successor

The guiding principles to be included are:

- a. Collegiality – members of council will work together to further the best interests of the municipality in an honest and honourable way.
- b. Respect – members of council will demonstrate respect towards one another, the democratic decision-making process, and the role of staff.
- c. Integrity – members of council are expected to act lawfully and adhere to strong ethical principles by giving the municipality or village interests priority over private individual interests.
- d. Professionalism – members of council will create and maintain an environment that is respectful and free from all forms of harassment, including sexual harassment and discrimination. They must show consideration for every person's values, beliefs and contributions, and supporting and encouraging others to participate in council activities.
- e. Transparency – members of council will be truthful and open regarding their decisions and actions and make every effort to accurately communicate information openly to the public.
- f. Responsibility – members of council are responsible for the decisions that they make and must be held accountable for their actions and outcomes. They must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.

General Conduct

- Members of Council must be truthful and forthright, and not deceive or knowingly mislead Council, the CAO, or the public.

- Members of Council will respect the presiding officers, colleagues, staff and members of the public that present during the council meeting or other proceedings/meetings of the municipality.
- Members of Council will adhere to procedure and direction of presiding officers in respect to rules of procedure.
- Members of Council must conduct Council business and all of the member's duties in an open and transparent manner, other than for those matters which Council is authorized by law to deal with in private.
- Members of Council must ensure that they are not impaired by alcohol or drugs while attending any meeting of the municipality.

Confidential Information

- No Member of Council will disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by policy or law or authorized by the Council to do so.
- No Member of Council will use confidential information for personal or private gain or for the gain of any other person or entity.
- Members of Council should not access or attempt to access confidential information in the custody of the municipality unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the by-laws or policies of the Municipality.
- Members of council must not discuss any matters relating to an active investigation under this Code of Conduct with anyone other than the investigator or their own legal representative, unless required by law.

Gifts and Benefits

- No Member of Council shall accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:
 - i. gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - ii. a suitable memento of a function honouring the member of Council;
 - iii. sponsorships and donations for community events organized or run by a member of Council or by a third party on behalf of a member of Council;
 - iv. compensation authorized by the municipality.

- A fee or advance paid, or a gift or benefit provided, with the Member's knowledge, to a person closely connected to a member is deemed to be a gift to the Member of Council.

Use of Municipal Property, Equipment and Services

- No Member of Council shall use, or request the use of, any municipal property, including surplus material or equipment for personal convenience or profit, unless the property is:
 - i. available for such use by the public generally and the member of Council is receiving no special preference in its use; or,
 - ii. made available to the member of Council in the course of carrying out council activities and duties.
- No Member of Council shall use, or request the use of, for personal purpose any municipal property, equipment, services, supplies or other municipally-owned materials, other than for purposes connected with the discharge of municipal duties.
- No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of municipally-developed intellectual property.
- No Member of Council shall use information, or attempt to use information, gained in the execution of their duties that is not available to the general public for any purposes other than carrying out their official duties.
- No Member of Council, or person closely connected to a member, shall tender on such items such as the sale of older and extra equipment.

Building, Development, Planning, or Procurement Proposals before Council

- No Members of Council shall solicit or accept support in any form from an individual, group or corporation, with any building, development, planning, or procurement proposal before Council.

Improper Use of Influence

- No Member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.

Business Relations

- No Member of Council shall allow the prospect of their future employment by a person or entity to affect the performance of their duties to the municipality.
- No Member of Council shall borrow money from any person who regularly does business with the municipality, unless such person is an institution or company

whose shares are publicly traded and who is regularly in the business of lending money.

- No Member of Council shall act as an agent of a person or entity before Council or a committee of Council or any agency, board or committee of the municipality.

Employment of Persons Closely Connected to Members of Council

- No Member of Council shall attempt to influence any municipal employee to hire or promote a person closely connected to the member.
- No Member of Council shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the member.

Fairness

- No Member of Council shall give special consideration, treatment or advantage to any individual or entity beyond that which is accorded to all.
- No Member of Council shall give special consideration, treatment or advantage to an organization or group due to the member or person closely connected to the member being involved with or a member of the organization or group.

Adherence to Policies, Procedures, Bylaws and Other Laws

- Members of Council will adhere to the Code of Conduct.
- Members of Council will adhere to the applicable national and provincial legislation.
- Members of Council will adhere to the procedures, policies and bylaws of the municipality.
- Members of Council will adhere to the expense and hospitality policy of the municipality.

Respect for Council as a decision-making body

- A Member of Council must abide by and act in accordance with any decision made by Council, whether or not the member voted in favour of the decision.
- Members of Council must not encourage non-compliance with a statute, regulation, bylaw, policy or procedure.

Communicating on behalf of Council

- A Member, other than the Mayor/Warden, must not claim to speak on behalf of Council unless the member has been authorized to do so.
- The Mayor/Warden/designated individual may speak on behalf of Council and must make every effort to convey the intent of Councils' decision accurately.

Interactions of Council with Staff and Service Providers

- Members of Council must respect the role of the CAO as head of the administrative branch of government of the municipality and must not involve themselves directly in the administration of the affairs of the municipality, including, without limitation, the administration of contracts.
- No Member of Council shall direct, or attempt to direct, the CAO, other than through a direction provided by the Council as a whole.
- Members of Council shall be respectful of the role of CAO and municipal employees to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.
- Members of Council must not direct or influence, or attempt to direct or influence any municipal employees in the exercise of their duties or functions.
- Council cannot direct municipal employees except through the CAO.
- Members of Council are not to issue instructions to any of the contractors, tenderers, consultants or other service providers to the municipality.
- No Member of Council shall require or request that a municipal employee undertake personal chores or tasks for the Council member unrelated to municipal business.
- Members of council shall refrain from making public statements that are critical of specific and/or identifiable municipal employees and/or service providers.

Respectful Interactions

- A Member of Council must not engage in discrimination or harassment on the grounds articulated in the Human Rights Act of Nova Scotia.
- A Member of Council must not sexually harass any person.
- A Member of Council must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at one or more individuals or groups that creates a poisoned environment.

Reprisal

- A Member must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under this Code of Conduct or any person providing relevant information in relation to a matter under this Code of Conduct.

Appendix B: Recommended Sanctions Framework and Possible Sanctions to be imposed

Sanctions Framework:

A Council or Commission shall consider all of the following criteria prior to imposing a sanction or sanctions:

1. The nature of the code contravention;
2. The length or persistence of the code contravention;
3. If the member intentionally contravened the code of conduct;
4. Has the member taken any steps to remedy the contravention;
5. If the member previously contravened the code of conduct;
6. Any external factors that exist to the member's contravention (e.g. family situation, mental health); and
7. The resources the member will need to complete their job.

Sanctions:

1. Member will receive a letter of formal reprimand or warning, as directed by council.
2. Member will issue a letter to include acknowledgement of breach of code and an apology within 15 days.
3. Require the member to attend training, appropriate to the incident, as directed by council.
4. Censure the member publicly.
5. Limit the member's access to certain local government facilities, equipment and/or property.
6. Suspending or removing the member as deputy head of council and/or the chair of a committee, if applicable.
7. Suspending or removing the member for no longer than 6 months from some or all committees and/or boards.
8. Impose a limit on the member's participation on behalf of the municipality.
9. Impose a limit on the member's travel and/or expense reimbursement on behalf of the municipality.
10. Impose a fine on the member for up to \$1,000 per occurrence, which is to be paid no later than 6 months from the decision of council and to be collected in the same manner as other taxes.
11. Impose an appropriate reduction in remuneration to the member for no longer than 6 months.
12. Make member repay any direct monetary loss realized by the municipality as a result of the member's action in any amounts determined by the investigator.
13. Make member repay any direct monetary gain they obtained from their actions in any amounts determined by the investigator.

Appendix C: Recommended Complaint and Investigator Process

1. Municipality or village will appoint a person or entity other than a Council Member or an employee of the municipality to receive and investigate complaints.
 - a. The person or entity appointed must have experience in conducting investigations and in applying the principles of natural justice and procedural fairness. No conflict of interest can exist between the investigator and the parties involved.
 - b. Municipalities must include the investigator's contact information on their publicly accessible website.
2. A complaint must be submitted to the investigator no later than 6 months from discoverability.
 - a. Any complaints brought forward during the municipal election period of nomination day until ordinary polling day will not be investigated until the election has concluded.
3. When a complaint is received by the investigator, the investigator shall notify the CAO/clerk of the fact that a complaint has been received.
4. Investigator will determine if there is validity to the complaint. If no validity, then complaint can be dismissed.
5. If the investigator finds that the complaint is valid, the investigator shall notify the member who is the subject of the complaint that a complaint has been made about them, and it is proceeding to an investigation.
6. The investigator will begin their investigation and notify Council/the Commission through a confidential email or in camera of the fact that a complaint is proceeding to the investigation phase.
7. The investigator shall protect the confidentiality of the complainant, the subject(s) of the complaint, and all persons involved in the investigation, to the greatest extent possible, while still applying the principles of natural justice and ensuring procedural fairness.
8. The investigator shall present a report to Council, no later than 6 months from the time the complaint is brought forward, on the investigation and include a

recommendation regarding the validity of the complaint and, if applicable, a recommendation regarding an appropriate sanction.

- a. If complaint is brought forward during the municipal election period of nomination day until ordinary polling day it will not be investigated until the election has concluded. Investigations already in progress at the time of nomination day will continue;
 - b. Council may grant the investigator an extension on when the report can be brought to council for extenuating circumstances, including a delay during a municipal election period;
 - c. Council is able to discuss the investigators report in camera; and
 - d. The member who had the complaint lodged against them will have the opportunity to review and respond to the information in the investigator's report, and make submissions to Council, prior to the Council's vote.
9. Council determines if a breach occurred and determines the sanction(s) to impose. If a councillor is the subject of the complaint or has made the complaint under the Code the councillor shall:
- a. In the case of a closed meeting, leave the room in which the meeting is held
 - b. In the case of a public meeting, either leave the room or remain in the room in the part of the room for general public; and
 - c. Refrain from voting on any question relating to the matter
10. Any breach of the code determined by councils shall automatically retrigger the required Code of Conduct training.
11. The section under the Code of Conduct the complaint was lodged and the investigators recommendations are made public.
12. The decision or penalty of Council/Commission on a Code of Conduct matter is final and binding on all parties.



Town of Shelburne

Staff Report to Council

Education around Municipal Restructuring

General Overview:

This report provides an update on the historical discussions and recent developments between the Town of Shelburne, the Municipality of the District of Shelburne, and the Town of Lockeport regarding the exploration of consolidation/amalgamation.

Background:

Over the years, previous councils from the Town of Shelburne, the Municipality of the District of Shelburne, and the Town of Lockeport have periodically engaged in discussions about amalgamation, consolidation, and unification. These discussions have aimed to explore potential benefits, including shared resources, improved services, and enhanced governance efficiency.

Most recently, the former councils of all three municipalities revisited the possibility of consolidation. Earlier this year, the three units agreed to re-examine consolidation. However, due to the proximity of these discussions to the end of the council terms, and the realization that a thorough exploration of the pros and cons would require a significant time commitment, the three councils made a joint decision to pause the process. It was agreed that further discussions would be deferred until the new councils were in place following the municipal elections.

Analysis:

Following the elections, there have been significant changes in council representation. Two of the three municipalities, including our own, have a majority of new council members, and the Town of Lockeport has an entirely new council. Recognizing this, we consulted with our Municipal Advisor to discuss the next steps in exploring the potential restructuring.

The advisor recommended that we approach the consolidation process cautiously and ensure that all councils are fully informed about the complexities of municipal restructuring. It is important that we take an educated and deliberate approach to understanding the differences



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March 18, 2024

Town of Lockeport
Municipality of the District of Shelburne

Dear Mayor Nickerson & Warden Smith,

On behalf of the Town of Shelburne Council, I am writing to propose a postponement of the discussions regarding consolidation between our respective units: the Town of Lockeport and the Municipality of the District of Shelburne.

While Council is indeed interested in engaging in discussions regarding the potential benefits and challenges of consolidation, we have reviewed and deliberated upon our current circumstances. Given the impending elections and the urgent nature of our high-priority projects, we believe it is prudent not to rush into the process of consolidation.

Consolidating our three units is a significant undertaking that requires careful consideration and ample time investment, particularly in navigating the initial stages of the process. Therefore, we are of the opinion that it would be more sensible to defer our discussions until after the conclusion of the election and the new councils are in place.

We want to emphasize that this decision to propose postponing the initial consolidation discussions was not made lightly by Council. However, it seems more reasonable to commence discussions with the new councils in place. Given that the new councils may comprise a majority of new members, there may be a necessity for an educational and training component to acquaint them with the intricacies of consolidation deliberations before delving into the benefits and challenges.

We appreciate your understanding and cooperation in this matter. Please do not hesitate to reach out if you have any questions or require further clarification regarding our proposal.

Sincerely,

Harold Locke
Mayor, Town of Shelburne



Town of Shelburne

Staff Report to Council

Shelburne Volunteer Fire Department By-Law

General Overview:

This report provides an update on the revisions made by the Shelburne Volunteer Fire Department (SVFD) to their by-law, including Council's feedback and the responses provided by the SVFD.

Background:

The Shelburne Volunteer Fire Department, a department of the Town of Shelburne, recently undertook a review and revision of their by-law. The updated by-law was presented in the October 7th, 2024 Council package for consideration.

Following this, the former Council reviewed the revised by-law and raised several questions and requests for clarification, particularly on Articles 12 and 13. Additionally, Council proposed adding a provision to review the SVFD's finances with the Town to ensure transparency and alignment with the Town's financial planning.

Analysis:

The key areas of Council's review, along with SVFD's responses, are summarized below:

1. Article 12 – General

Original text: "The Department shall ask the Town of Shelburne to pay all expenses for the Chief or Deputy Chief to attend the annual Maritime Fire Chief's Convention".

Revised text: "The Department shall ask the Town to pay expenses for any events deemed appropriate to represent the Department."

Council's Concern: This revision has financial implications. Council sought clarification on how many events are anticipated annually and whether there is a cap on the number of events or the associated costs.

SVFD Response: The SVFD clarified that this change was made to allow flexibility. While the Maritime Fire Chief's Convention may not always be attended, other province-wide events might be more relevant in certain years. The SVFD assured that there is no intent to increase spending beyond what has historically been allocated for such events.

2. Article 13 – Honorary Membership

Original text included:

- A. Any person who is eligible to become an active member but performs some outstanding service to the Department may be elected as an Honorary member by resolution of the Department and shall be presented with a certificate indicating this status.
- B. The members of the Shelburne detachment of the RCMP shall be honorary members.
- C. Honorary members may attend regular and special meetings, may be given permission to speak by the active members, but may not vote, move motions, or propose amendments to motions.

This article was amended by removing items B and C.

Council's Concern: Council sought to understand the rationale behind the removal of the RCMP as honorary members.

SVFD Response: The SVFD noted that while the RCMP has access to the Department's gym and other facilities, the RCMP has never attended any Department meetings. As such, they felt it was unnecessary to include them as honorary members in the by-law.

3. Financial Review with the Town

Council's Concern: Given that the SVFD is a department of the Town, Council felt it was important to maintain a clear understanding of the Department's financial standing. Council proposed including a provision for an annual financial review between the SVFD and Town.

SVFD Response: The SVFD acknowledged that the Town already receives their financial information but agreed to hold annual meetings with Town staff. This will help promote financial transparency and assist in effective planning for Town-related budgeting, including for events, vehicle acquisitions, and equipment purchases.

Recommendation:

THAT Council approve the revisions to the Shelburne Volunteer Fire Department By-Law as presented, including the newly agreed provision for an annual financial review with Town management.

Respectfully submitted,

Sarah Mattatall
Chief Administrative Officer

BY-LAWS

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Revised January 2017

Approved January 29, 2017
Revised 9 July 2018
Revised 2 March 2020

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June 20, 2024 v1.11

FOR MEMBERSHIP APPROVAL

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ARTICLE I – NAME

- 1. This Department shall be known as the Shelburne Volunteer Fire Department.
- 2. The membership of the Department shall not exceed the number (55) recommended by the Department and approved by the Town Council.

ARTICLE II – OBJECTIVE

- 1. The objective of this Department is the prevention of fire and protection of life and property within the limits of the Town of Shelburne and the Shelburne Fire District.
- 2. When responding to any call for service, decisions on the apparatus used will be made by the ~~chief, deputy chief~~Chief, Deputy Chief or the ~~officer~~Officer in charge. ~~At no time shall the town be left without adequate protection.~~
- 3. ~~At no time will the town be left without adequate protection. If necessary, a call for Mutual Aid from neighboring departments will be made.~~

ARTICLE III – EXECUTIVE AND FIRE OFFICERS

- 1. The ~~officers~~Executive of the Department shall consist of a ~~chief, deputy chief, captain~~Chief, Deputy Chief, Captain and ~~lieutenant~~Lieutenant for each truck with a crew of six or more (for a crew of less than six, one officer is sufficient), ~~President, Secretary, Treasurer, Registrar, and Training Coordinator. No member may simultaneously hold two Executive offices.~~ ~~president, secretary, treasurer, registrar and training coordinator.~~
- 2. ~~The Executive Committee shall consist of the Chief, Deputy Chief, President, Secretary, Treasurer, Registrar, Training Coordinator, Captains and Lieutenants.~~
- 3. The Fire Officers shall consist of the Chief, Deputy Chief, Captains and Lieutenants.
- 4. ~~No member may simultaneously hold two Executive offices.~~

ARTICLE IV – COMMITTEES

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1. The standing committees shall be Investigating Committee, Sick and Accident Committee, Firefighter of the Year Committee, Equipment and Clothing Committee, Public Relations Committee, Ways and Means Committee, Sports Committee, By-Law Committee, Retirement Committee, and Bar Committee. All committees shall be composed of a minimum of three (3) members. All committees will choose their own Chair, and will hold meetings as often as necessary. All committees, and will submit a report Meeting Report to all the next general meetings meeting.

2. Special committees may be appointed at any time. Any such committee will select its own chair. Special committees will meet at the call of the Chair. Special committees may be disbanded at any time by a majority vote of the general membership.

ARTICLE V – MEETINGS AND PRACTICES

1. The regular monthly meeting of the Department shall be held on the first Monday of each month, except on all holidays, when the meeting will be held on the second Monday of the month. The January meeting will be considered the Annual General Meeting. At every meeting the roll will be called at 7:30 p.m.

2. Special meetings may be called by the chief Chief or president President, or upon a written request to the chief, president Chief, President, or secretary Secretary from any seven members. The Secretary will make all reasonable efforts, including the use of electronic means and/or telephone calls, to notify members of the time, place, and purpose of the special meeting. The regulations and penalties governing general meetings will be enforced at special meetings.

3. Anyone wishing to speak at any meeting will rise and address the chairman Chair. No member shall be allowed to leave any meeting without notification to the permission of the chair- Chair.

4. All meetings will normally be chaired by the President. However, the President may name an alternate chair Chair except for the annual Annual General Meeting and special meetings Special Meetings. The duties of the chair Chair include the preservation of order and decorum, the enforcement of strict compliance with the by-laws, and the imposition of all fines except those requiring a vote of the department. In the case of a voice vote, the Chair will vote only in the case of a tie. However, when a vote is conducted by ballot, the Chair will have the right to vote. The Chair will rule on all points of order, subject to a challenge from the floor which will be upheld only in the case of a two-thirds majority of those voting.

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5. A quorum shall consist of one-half plus one of the active members of the department.

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66. Voting on routine matters will occur by means of a voice vote. Voting on the admission of new members and acceptance or rejection of reasons for absence from meetings and practices, or general dereliction of duty, will follow the traditional practice using orange and green beans, where green represents a yea vote and orange represents a nay vote. The election of Executive and Fire Officers at the Annual General Meeting will occur by means of paper ballots.

7. A regular monthly practice shall be held on the second Thursday of each month at 7:00 p.m. If the scheduled practice falls on any holiday, the practice shall take place on the following Thursday.

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78. When special circumstances warrant, the President, upon consultation with the Executive Committee, may change the time or date of a meeting or practice.

9. Order of Business at Meetings.

1. Call the Meeting of the Shelburne Volunteer Fire Department to order, Roll Call
2. Minutes of the Previous Meeting
3. Treasurer's Report
4. Standing Committee Reports
5. Special Committee Reports
6. Chief's Report
7. Correspondence
8. Admittance of New Members
9. Bills
10. Unfinished Business
11. New Business
12. Members in Arrears
13. Review of Alarms
14. Collection of Fines
15. Receipts of the Evening
16. Closing Announcements and Call for Adjournment

ARTICLE VI – DUTIES OF EXECUTIVE FIRE OFFICERS, AND MEMBERS AND COMMITTEES

1. CHIEF: The Chief is responsible for all operational aspects of the Department including, but not limited to: the movement of vehicles, the assignment of members to equipment and duties, control of on-scene activity and maintenance of the operational capability of all equipment. The Chief will also promptly and impartially enforce all By-laws and rules of the department

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relating to the operational performance of the Department and its members.

When required, the Chief may make a public statement regarding an operational matter.

When acting as an ~~officer~~Officer of the Department, the Chief shall ~~always~~ conduct him/~~her~~ self/~~herself~~ properly ~~at all times~~ and perform the assigned duties faithfully, under penalty of removal or expulsion. The Honorarium shall be ~~\$100500.00~~ annually payable by the ~~department~~Department.

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2. ~~DEPUTY CHIEF~~ -: The primary duty of the ~~deputy chief~~Deputy Chief is to assist the ~~chief~~Chief and, in the absence of the ~~chief~~Chief, to perform all duties as outlined in Article VI (~~Section 1~~), The Honorarium shall be ~~\$50400.00~~ annually, payable by the Department.

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3. ~~CAPTAINS~~ -: The duty of ~~the captain~~each Captain is to take charge of their respective trucks ~~at all times~~, to preserve the discipline of their crews, and instruct them in their duties. They will ensure that all equipment is in proper working order and report any deficiencies to the Chief. Each ~~captain~~Captain shall carry out the orders of the Chief or Deputy Chief and direct the on-scene operation of their truck and crew, both assigned and temporary, ensuring their safe and efficient performance. Captains shall supervise the relief of the crew members during severe fires to ensure that they maintain the highest possible level of efficiency ~~and safety~~.

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4. ~~LIEUTENANTS~~ -: The duty of the ~~lieutenants~~Lieutenants is to assist their ~~captain and~~ ~~in~~Captain. In the absence of the Captain, ~~to~~the Lieutenant will take charge of their crew and perform all duties outlined in Article VI (~~Section 3~~).

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5. ~~TRAINING CO-ORDINATOR~~ -: The Training Co-Ordinator ~~may be any member of the Department who has at least two years service in the Department. The Training Co-Ordinator Coordinator~~ will arrange and oversee training sessions for the members ~~during regularly scheduled at~~ practices ~~and at any times when required. The Co-Ordinator. The Training Coordinator~~ will be assisted by the Lieutenants, one of whom will oversee training sessions if the ~~Training~~Coordinator is absent.

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6. ~~PRESIDENT~~ -: The President is responsible for the ~~administration~~handling of all administrative (~~ie~~ non-operational) aspects of the Department. ~~S/he~~The President will preside at all annual, special, and monthly meetings whenever possible. The President will enforce all ~~By-laws~~By-Laws and rules of the ~~department~~Department relating to the administration of the Department.

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When required, the President may make a public statement regarding Departmental administrative matters. ~~The President may be a retired member of the Department. The Honorarium shall be \$250.00 annually payable by the department.~~

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~~The President may be a retired member of the Department. The Honorarium shall be \$50.00 annual payable by the department.~~

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7. ~~SECRETARY~~: The Secretary shall keep a correct record of the proceedings of all meetings. ~~In addition, the~~The Secretary will

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~~- keep on file all documents relating to the department.~~

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~~- Department. The Secretary will, at each regular meeting, read the minutes of the last regular and special meetings;~~

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~~- The Secretary will record the names of members absent from anythe meeting~~

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~~- The Secretary will notify candidates of their election or rejection if they are absent from the meeting at which their proposed admission to the Department is discussed~~

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~~- The Secretary will handle all correspondence in a manner deemed fit by the department.~~

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~~President. The honorariumHonorarium of the secretarySecretary shall be \$50150.00 annually payable by the departmentDepartment.~~

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8. ~~TREASURER~~: The ~~treasurerTreasurer~~ will maintain a proper accounting of all monies received by the department and pay all properly approved bills. Bills for a specific project which has been authorized by the general membership may be approved by the President; all other bills must be presented at a meeting for approval by the general membership. The Treasurer will give a verbal report ~~ofon~~ the financial position of the ~~departmentDepartment~~ at all regular meetings. After the ~~department'sDepartment's~~ fiscal year-end, the Treasurer will provide a year-end review to an accounting firm that will prepare a financial report adequate to meet the ~~department'sDepartment's~~ requirement and for filing with the Canada Revenue Agency, as required by law. The Treasurer shall be bonded, and will be given signing authority and the authority to transfer funds between various Departmental accounts up to a value of ~~\$300500.00; without membership approval at a meeting.~~ The Honorarium shall be \$50150.00 annually, payable by the ~~departmentDepartment~~.

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9. ~~REGISTRAR~~: The primary duty of the Registrar is to maintain a complete and accurate ~~roHrecord~~ of the members ~~ofwhich will include their date of entry, the departmentdate on which their probationary period was completed, all periods of Leave of Absence, and to their total time served.~~ The Registrar will call the roll at every meeting and ~~practice,~~ ~~The roll shall include each member's dates of entry, retirement, resignation or dismissal.~~ The Registrar will maintain a record of every members' response to alarms. The Registrar will be responsible for ~~coordinating the applications for all long service medals, including the Nova Scotia Fire Services Long Service Medal and Bars, The Canadian Volunteer Fire Services Association Municipal Long Service Award (in consultation with the CAO of the Town), and the Fire Services Exemplary Service Medal.~~ The Registrar will also collect fines ~~at all meetings~~ and pass them to the ~~treasurerTreasurer~~ and keep an accurate monthly record of members in arrears. The honorarium of the ~~registrarRegistrar~~ shall be \$50150.00 ~~annualannually~~, payable by the

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department.

10. DRIVER/OPERATORS: Driver/Operators will normally have served as a member of the Department for a minimum of two (2) years, and will have received proper training under the supervision of the relevant Fire Officers. However, when circumstances warrant, the Executive Committee, on the recommendation of the ~~officers~~ Officers of ~~at their~~ truck, may ~~appointed~~ appoint a member with less than ~~two (2)~~ years of service as a Driver/Operator.

Driver/Operators will ~~only~~ operate their assigned truck, unless ordered to operate a different truck by a Fire Officer. They will ensure that their assigned truck is in proper condition to leave the station in case of an alarm, and will report to the Captain or Lieutenant of the truck any deficiencies. When responding to an alarm, the first driver arriving at the fire station will take control of ~~his/her/their~~ assigned truck but will wait for an officer in charge, or a senior member assigned to that truck ~~before leaving to order them to leave~~ the station ~~(under his orders):~~.

When on-scene, no Driver/Operator will leave the truck ~~unattended~~ unless ordered to do so by the ~~officer~~ Officer in charge of the truck. On returning from an alarm, the driver and the ~~officer~~ Officer in charge of the truck will see that the truck is fully ~~fuelled~~ fueled, the booster tank is full, and all valves and connections are in proper order, and ~~during the winter~~ will ~~see~~ ensure that the pump and booster lines are thoroughly drained after pumping operations ~~during the winter~~. No Driver/Operator is to use a siren when returning from an alarm.

Prior to approval as a driver/operator, a drivers abstract will be required to be presented to the Chief. A drivers abstract may be requested at any point during your tenure as a driver/operator for the Shelburne Volunteer Fire Department.

All driver/operators must have the N restriction removed from their Nova Scotia Drivers License.

11. MEMBERS

Eligibility: To be eligible for election as ~~an active~~ active member of the Department, a person must be at least 19 years of age; must live ~~within the Shelburne Fire District and~~ no farther than 5 ~~kilometres~~ kilometers from the fire hall ~~OR~~ or work within 5 ~~kilometres~~ kilometers of the fire hall ~~AND~~ and be able to leave their place of work to respond to alarms. No more than 40% of the maximum membership may live outside the Town Boundaries. A member who becomes ineligible for membership because of a move of residence beyond these limits and/or a change in the location of their employment must either retire or resign from the Department.

No member of the Shelburne Volunteer Fire Department may simultaneously be a member of any other ~~voluntary fire department~~ Volunteer Fire Department.

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Duties: In the absence of extenuating circumstances, Members must attend all regular and special meetings, practices, training sessions and special activities of the department, and obey all lawful orders of their elected and appointed officers. The Shelburne Volunteer Fire Department is well-respected in the community and all members must be aware that the identity of all members of the Department is well known to the local population. It is imperative, therefore, that all members must conduct themselves properly at all times in a manner appropriate to the responsibility and faith reposed in them by their fellow citizens.

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When an alarm is sounded, all available members must proceed immediately to the fire station or scene. Even for assignment. Each member is responsible for ensuring that their attendance is recorded on the alarm register, even if the alarm is subsequently cancelled members must proceed to the hall for roll call before deployment.

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The first member to arrive at the station in response to an alarm shall take immediate command until the arrival of one of the Fire Officers. The orders of any such member and shall be obeyed under the same penalties as if the orders had been issued by a Fire Officer.

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When Upon arrival on-scene, members must remain with their respective apparatus until called for duty by a Fire Officer or Incident Commander.

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After responding to an alarm, it is responsibility of all members to ensure that their attendance is recorded on the alarm register.

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Firefighters Allowance: A member who has served in the Department for a complete calendar year is entitled to receive the annual Firefighter's Allowance of \$150. A member who has served for less than a complete calendar year will receive an amount proportional to the number of months served.

Bunker Gear, and Pager, Key and Uniforms: All members of the Department will be issued a pager and charger, as well as a set of bunker gear, including boots, pants, jacket, gloves, flash hood and helmet. Members must sign for, and will be responsible for their gear, and must use only the bunker gear which has been assigned to them. Any damage or deficiencies must be reported to their Captain or Lieutenant.

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Fire Hall Keys: All members who have successfully completed complete their period of probation will be provided with a keykeys to the Fire Hall and a Departmental dress uniform Clubroom.

Station Wear: All members who successfully complete their period of probation will be permitted to purchase a set of station wear, consisting of blue pants and a black shirt, jacket, hat with SVFD shoulder patches and nametag, tie, belt and white gloves. Appropriate dress for

meetings is the summer dress uniform of pants and shirt a pair of black trousers. The member will pay \$150 of the cost with the remaining covered by the Department. The Department will only cover the remaining balance of the cost once per member.

ARTICLE VII - DUTIES OF COMMITTEES

The Chair of each Committee will may give a report of the Committee's activities at each regular meeting of the Department.

No public announcement may be made by any Committee, or a member of any Committee, in the absence of prior approval by the members at a regular or special meeting.

1. The By-Law Committee will undertake a revision review of the By-Laws every five (5) years and during the intervening period will maintain an account of all revisions made under Article XVI.

2. The Investigating Committee will consider all applications for membership and present the information at the next regular meeting along with the committee recommendation.

3. The Sick and Accident Committee will investigate and, where possible, visit all cases of sickness or disability of active, retired, or honorary members, and shall have authority to purchase an appropriate gift, up to a value of \$50100. After the death of an active or retired member of the Department the Committee is authorized to spend up to \$50100 either for flowers, or to make a donation donate to the deceased's charity of choice, according to the wishes of the family, and in accordance with the provisions of Article XI (6)-XII Section 5. Anyone who is aware of the illness of any regular or retired member should report this the Sickness and Accident Committee.

4. The Equipment and Clothing Committee will keep an inventory of all department uniforms, bunker gear and equipment and make recommendations to the department for the purchase of new or replacement clothing or equipment as required by members. The Committee will ensure that all members sign for their clothing and equipment.

5. The Public Relations Committee will act as the liaison between the department Department and the public in all matters pertaining to the department's Department's work.

6. The Ways and Means Committee will plan and implement fund-raising projects.

7. The Sports Committee will consider all requests for assistance from Departmental sporting groups and will make recommendations regarding any such requests to the membership. The Committee will work in conjunction with the Ways and Means committee on all fundraising

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activities for sporting groups.

8. The Firefighter of the Year Committee shall consist of the Captains of each truck. In December, each Captain shall nominate to the Executive Committee a member of their crew for consideration. In determining the recipient, the Executive Committee shall consider all factors, including attendance at meetings, practices and alarms, participation in ~~fund raising~~ department related activities, leadership, and other contributions to the department. ~~The Executive Committee will then vote for the recipient to be named and recognized at the Annual Fire Officers are ineligible for consideration.~~ Department Smoker in January.

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9. The Retirement Committee will provide a liaison between the active and retired members of the department. The Committee shall also assist the President and Registrar in making decisions regarding the award of certificates, pins, medals, gifts, etc.

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10. The Bar Committee will operate the Firefighter's Bar. The Committee must ensure that the bar is operating within Provincial regulations and that all appropriate licenses are acquired and/or cancelled, as required. The Committee will consider all requests from outside agencies or persons/people for the use of bar facilities, and will make an appropriate recommendation to the membership.

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ARTICLE VII - PROPOSALS FOR MEMBERSHIP

~~1. All applications for membership in the SVFD will first be assessed by the Investigating Committee to evaluate the applicant's suitability and eligibility. The Committee will provide the applicant with a copy of the Bylaws of the Department and The Candidate Information Package.~~

~~All applications for membership will be presented to a regular meeting by the Investigating Committee which will recommend acceptance or rejection. The members present will vote either for or against the Committee's recommendation. Balloting will follow the normal Department practice using orange and green beans, where green represents a vote in favour and orange a vote against. If a majority of the members present vote in favour, the applicant will become a member of the Department.~~

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2. The new member will attend the first practice after being admitted to the Department and will sign the Roll Call Book at that time. Failure to do so at the first or, failing that, the second practice following admission, in the absence of extenuating circumstances accepted by the members at a regular meeting will result in the expulsion of the member from the Department.~~

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~~3. A newly admitted member of the Department will be on probation for a minimum of six months and a maximum of eight months. During that period, the new member will:~~

~~-miss no more than one meeting without just reason~~

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- miss no more than one practice without just reason
- serve two months as a member of the crew of Truck 6, then one month as a member of the crew of Trucks 1, 4, 3 and 2, in that order
- demonstrate mastery of the eight competencies outlined in the Candidate's Information Package, and ensure that the Chief (or delegate) and the Training Officer certify that each has been achieved.

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4. At the end of the period of probation the Registrar will provide to the Department a report indicating the new member's record of attendance at meetings, practices and alarms. At a regular meeting, the new member will provide reasons to explain any absences. On the basis of the information provided by the Registrar and, if necessary by the member, a vote to confirm membership will be held. Such a vote may only be held if a quorum of members is present. Balloting will follow the procedure outlined in Article VII, Paragraph 1.

5. All newly elected members of the Department must sign the Roll Book at the next regular practice. Failure to do so within two months, in the absence of legitimate medical or employment related cause, will result in the revocation of membership

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~~ARTICLE VIII~~ ELECTION OF OFFICERS

1. To be eligible for election as President, Captain, or Lieutenant a member must have served as a firefighter for at least four years. To be eligible for election as Chief or Deputy Chief a member must have served as a Captain or Lieutenant for at least one year.

2. At the regular meeting in November, a Nominating Committee of five members shall be appointed to bring in a slate of ~~officers~~ Executive and Fire Officers for the coming year. All members of this Committee must have served as a member of the Department for a minimum of three (3) years. The committee will present its report at the December meeting and at this time ask for further nominations. The names of all nominees will be posted on the bulletin board until the Annual General Meeting in January. At that meeting, the chairman of the Nominating ~~committee~~ Committee will once again present ~~his~~ the report and call for further nominations for each office.

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A. For ~~if only one nomination for an office is received, the chairman will declare this candidate elected to this office. If there is more than one nomination for any~~ every position, ~~the members~~ regardless of the number of nominees, the membership will vote, using a paper ballot prepared by the Nominating Committee. ~~Three members shall be appointed by the nominating committee chairman to act as scrutineers responsible for whose duty it shall be to counting the ballots.~~

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B. If no candidate receives a majority of the votes cast, the names of the two candidates with the most votes shall be retained, all others shall be removed from the ballot, and

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the election continued. The candidate receiving the majority of all votes cast will be declared elected. All nominees, prior to election, may offer for a lesser office.

~~All nominees, prior to election, may offer for a lesser office.~~

~~C. 3.~~ Should a vacancy occur among the ~~officers~~ Executive and Fire Officers of the Department, it shall be filled at the next regular or special meeting called for that purpose. Nominations will be received from the floor and if there is more than one nomination, an election shall be held using a paper ballot.

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ARTICLE VIII - PROPOSALS FOR MEMBERSHIP

1. All applications for membership in the SVFD will be assessed by the Investigating Committee to evaluate the applicant's suitability and eligibility. The Committee will provide the applicant with a copy of the current By-Laws of the Department and the Candidate Information Package.

2. All applications for membership will be presented to a regular meeting by the Investigating Committee which will recommend acceptance or rejection. If a quorum is present, the members will vote either for or against the Committee's recommendation, following the procedure outlined in Article V Section 6. If a majority of the members present vote in favor, the applicant will become a probationary member of the Department.

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3. All probationary members of the Department must sign the Time Book at the next scheduled monthly training practice immediately following the meeting at which their application for probationary membership was approved. Failure to do so, in the absence of a legitimate medical, employment-related, or personal reason deemed acceptable by the membership, will result in the revocation of the probationary membership.

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4. Probation period is for a minimum of six (6) months and a maximum of eight (8) months. During that period, the probationary member will be expected to attend all alarms, meetings and practices.

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5. All newly admitted probationary members will be assigned to Truck 6 for their first two months, then to each of the other trucks for one month, normally in the following order of Trucks 1, 4, 3 and 2.

6. During their probationary period, the newly admitted probationary member will be required to demonstrate his/her mastery of the eight (8) competencies outlined in the Candidate Information Package and ensure that the Training Coordinator certifies that each has been

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completed.

7. At the first meeting following the end of the period of probation, the Registrar will provide a report indicating the new probationary member's record of attendance at meetings, practices, other training sessions and alarms. If a quorum of members is present, they vote to confirm or deny permanent membership, following the procedure outlined in Article V, Section 6.

ARTICLE IX - ELECTION OF EXECUTIVE AND FIRE OFFICERS

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1. To be eligible for election as President, Captain, Lieutenant or Training Coordinator, a member must have served as a firefighter for at least four (4) years. To be eligible for election as Chief or Deputy Chief, a member must have served as a Captain or Lieutenant for at least three (3) years.

2. At the January meeting of the Department, the chairman of the Nominating Committee will hold an election, based on the slate of candidates whose names were posted on the bulletin board in the Clubroom in December and nominations taken from the floor at the January meeting.

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3. For every position, regardless of the number of nominees, the membership will vote, using a paper ballot prepared by the Nominating Committee. The chairman will provide each nominee with the opportunity to address the membership, outlining the case for their elections. The members present will then vote, using a paper ballot prepared by the Nominating Committee. Three members shall be appointed by the Nominating Committee chairman to act as scrutineers whose duty it shall be to count the ballots. If no candidate receives a majority of the votes cast, the names of the two candidates with the most votes shall be retained, all others shall be removed from the ballot, and the election continues using a paper ballot prepared by the Nominating Committee. The candidate receiving the majority of all votes cast will be declared elected.

4. Should a vacancy occur among the Officers of the Department at any time, it shall be filled at the next regular meeting, or at a special meeting called for that purpose. Nominations will be received from the floor during the meeting. For every position, regardless of the number of nominees, the membership will vote, using a paper ballot prepared by the Nominating Committee.

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ARTICLE X – FINES AND REMEDIAL ACTION

1. Fines will be assessed as follows:

A. For absence at roll call at a meeting or practice: \$0.50

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~~For absence from roll call at the end of a practice (such absence to be noted by the truck Captain): \$0.50~~
~~For absence from an entire meeting or practice: \$1.00~~

~~B. For failure to wear station dress (black pants and shirt) at a meeting: \$0.50~~
~~For interfering with operational command while on scene: \$10.00~~

C. For interfering with operational command while on-scene, the offending member will be brought in front of the Executive to explain the situation and if, after this investigation is completed and remedial action is warranted, the Executive will present to the Membership at the following meeting their recommended course of action, including a fine of \$10.00 and risk of expulsion from the Department, and a vote will be held following the procedure outlined in Article V Section 6.

ARTICLE XI - NEGLECT OF DUTIES

~~1. The registrar has the right to accumulate Department is a collegial and cooperative organization, and members have a great deal of responsibility. The dates of meetings and training sessions are known in advance, and all unpaid fines levied against a member. Any member with unpaid fines at the end of the calendar year members are expected to attend all of them, unless prevented from doing so because of their work schedule, illness, injury, or family obligations.~~

~~2. When a member misses three (3) consecutive meetings or three (3) consecutive practices, they will be notified by the Secretary, in writing of the unpaid balance. The member must pay all outstanding fines prior to the next meeting. Failure to do so will result in the, that their continued membership being informed of in the delinquency Department is in jeopardy and appropriate measures may then will have to be taken as agreed reaffirmed by the membership at the upcoming fourth (4th) meeting where they will be required to justify their absences in person or in writing and a vote will be held following the normal practice as outlined in Article V Section 6. If the membership votes not to accept the justification offered by the member, that member will be expelled from the Department. If the member does not respond in person or in writing at the fourth (4th) meeting, that member will be automatically expelled from the Department.~~

~~3. When a~~

~~ARTICLE X - NEGLECT OF DUTIES~~

~~1. Any member who misses three consecutive six (6) meetings or more than six meetings in one~~

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calendar year; or three consecutive six (6) practices or six practices in one calendar year shall within a 12-month period, they will be notified by the Secretary, in writing by the secretary. The member must then, that their continued membership in the Department is in jeopardy and will have to be reaffirmed by the membership at the next regular meeting where they will be required to justify their absences in person or in writing, provide justification for this neglect of duty at the next meeting. The members present at that meeting, as long as they constitute a quorum, will vote, and a vote will be held following the normal practice, whether to as outlined in Article V Section 6. If the membership votes not to accept the reasons justification offered. Should the member in question fail to give reasons accepted by the members at by the member, that meeting, the member will be expelled from the Department. The Chief, Deputy Chief, or the member's Captain will then notify the member does not respond in person or in writing, that member of the results of will be automatically expelled from the vote and collect all issued equipment, clothing and uniforms Department.

4. 2. It is the duty of all All members of the Department to attend meetings and practices and are expected to respond to all alarms, unless prevented from doing so because of their work schedule, illness, injury, or family obligations. If a member is persistently negligent attends less than 20% of recorded alarms in the discharge of any or all of these duties, the Chief a calendar year (new members will meet with be prorated to their date of acceptance in the Department), the Registrar will inform the Secretary at the January meeting, who will write to the member to determine if there are legitimate reasons for the negligent conduct. If no resolution can be found, the Chief may recommend to the warning them that their continued membership appropriate disciplinary action against the in the Department is in jeopardy and their Provincial incentives for volunteer firefighters will not be met. The member will have to be reaffirmed by the membership at the next regular meeting where they will be required to justify their absences in person or in writing and a vote will be held following the normal practice as outlined in Article V Section 6, on whether to permit the member to remain in the Department. If the membership votes not to accept the justification offered by the member, that member will be expelled from the Department. If the member does not respond in person or in writing, that member will be automatically expelled from the Department.

ARTICLE XIX - GENERAL

1. The business year of the department Department shall be the same as that of the Town of Shelburne.

2. Only active, retired, and honorary members of the Department will be permitted to visit the Firefighter's Club Room on Smoker Nights, unless a special dispensation was is granted at a meeting of the Department. At all other times, active and retired members may bring a maximum of three (3) guests to the Club Room. Members are responsible for the behavior of

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their guests, and will be held accountable for any misbehavior on their part.

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~~3.3. Members of the Department have priority over guests for use of any Club Room facilities.~~

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4. Request for rental or loan of the Firefighter's Club Room and facilities must be submitted in writing brought forward for consideration at a monthly meeting of the Department.

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54. The Chief or Deputy Chief havehas authority to loan small items or equipment on the condition that such equipment must be returned promptly or, if damaged, replaced within ten days promptly.

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65. In the event of the death of an active or member, retired member or member of the Ladies Auxiliary, at the request of the family, the Chief or delegate officer shall invite the members of President will make the department necessary arrangements to meet at honor the fire station in full dress uniform to march to and attend the funeral. Flowers may be sent at the death of a retired firefighter or his wife, honorary members or members of the Ladies Auxiliary. Flowers may be sent at the death of an active firefighter to his wife, children, mother, father, mother-in-law, or father-in-law deceased.

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76. The Department shall ask the Town of Shelburne to pay all expenses of the Chief or Deputy Chief to attend the annual Maritime Fire Chief's Convention. any events deemed appropriate to represent the Department.

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8. When a member no longer meets the availability criteria outlined in Article VI, paragraph 1 because of a change in living arrangements s/he must either resign, or retire as appropriate, according to Article XV. The member's Truck Captain or Lieutenant will report any such resignations or retirements to the membership at the next regular meeting.

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9. Any member who becomes married for the first time while serving with the department shall be presented with a gift or cheque to the value of \$100.00.

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11. Any member using his/her personal vehicle for authorized department business pre-authorized by the Chief or Deputy Chief, shall be entitled to kilometer reimbursement at a rate used by the Town at the time.

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129. Members are personally responsible for obeying all traffic laws when answering/responding to alarms and shall be fully liable in the event of an accident or violation of any laws while driving their personal vehicle.

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10. In the event of the death of an active member of the Department including those on a leave of absence, their assigned number shall be retired from service. A plaque with the members

photograph, years of service and date of passing shall be displayed at the station at a location deemed fit to honor those members. The members' helmet may also be offered to their family if desired. This shall be overseen by the Sick and Accident Committee.

11. Time served during a Military deployment will be counted as time served in the Department.

ARTICLE XIII - HONORARY MEMBERSHIP

1. Any person who is ineligible to become an active member but performs some outstanding service to the ~~department~~Department may be elected as an ~~honorary~~Honorary member by resolution of the ~~department~~Department and shall be presented with a certificate indicating this status.

2. The members of the Shelburne detachment of the RCMP shall be honorary members.

3. Honorary members may attend any and all regular and special meetings and may be given permission to speak by the active members but may not vote, move motions or propose any amendments to motions.

ARTICLE XIV - EXPULSIONS

1. All decisions regarding expulsions from the Department, with the exception of Article X Section 1, shall be by secret ballot at a regular meeting at which a quorum is present. ~~A majority vote shall govern.~~

2. Any member who willfully alters, defaces, damages, or destroys any property of the Department, Town, or another firefighter, may be expelled from the Department.

3. Any member caught stealing anything from a fire scene ~~will or otherwise, may~~ be ~~immediately~~ expelled from the Department.

4. Any member who assaults, utters threats against, or harasses another member of the department, their spouse or minor ~~child~~, as defined by the Criminal Code of Canada (See Appendix) ~~will~~may be expelled from the Department.

4. All decisions regarding expulsions from the Department, except for those defined in Article XI, shall be by secret ballot at a regular meeting at which a quorum is present. ~~A majority vote shall govern.~~

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ARTICLE ~~XIV~~XV - LEAVE OF ABSENCE & REINSTATEMENTS

1. On receiving a written application from a member deemed to be 'in good standing', the Chief may grant a leave of absence from the Department for a period of up to six months. ~~If a longer once within a twelve (12) month period of leave is required.~~ The member may ask for permission to return to active duty at any time during this period, with the Chief reserving the right to refuse an early return if they deem this to be in the best interest of the member.

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2. Any further request for extensions beyond six (6) months and in six (6) month increments, the member or a member designate, will bring the matter to a regular meeting of the Department, either in person or writing, and the members membership will decide whether the extension is to be permitted approved following the procedure outlined in Article V Section 6.

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ARTICLE XVI REINSTATEMENT

1. A member in good stand who is unable may elect to perform his/her duties as leave the Department at any time, after giving written notification to the membership.

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2. If the member wishes to rejoin the Department at a firefighter because of sickness, injury or because of absence from the Town for good reason for future date, they will submit a period exceeding 6 months, may be reinstated on written application to the department Department and his/her previous the membership will vote, following the procedure outlined in Article V Section 6, to accept or reject the members application. A favorable vote will permit the applicant's record of service to be continued from the last recorded attendance. A re-instated member will be recognized required to complete the new candidate competencies.

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ARTICLE ~~XV~~XVII - RETIREMENTS

1. A member who retires after a minimum of sixteen (16) years of service will with the Shelburne Volunteer Fire Department will be issued a certificate recognizing the number of completed years of service.

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2. Retiring members will be honored honored in one of the following ways. Any former member who has served for up to 16 years will be entitled to a party costing up to \$50. outlined below.

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A. Any retiring member who has served for more than 16 years a minimum of 16 years

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with the Shelburne Volunteer Fire Department will be entitled to a party costing up to \$150.00 that is not monetarily redeemable as a gift.

B. The Department will also provide a ~~member~~ retiring ~~member~~ with ~~2016~~ to ~~25 years~~ ~~19~~ years' service with the Shelburne Volunteer Fire Department, a gift of ~~\$100~~ ~~150.00~~ in recognition.

C. The Department will also provide a retiring member with 20 to 25 years' service with the Shelburne Volunteer Fire Department, a gift of \$200.00 in recognition; ~~for~~.

D. The Department will also provide a retiring member with 26 to 35 ~~years~~ years' service with the Shelburne Volunteer Fire Department, a gift of ~~\$150~~ ~~250.00~~ and ~~for~~ in recognition.

E. The Department will also provide a retiring member with 36 years' service or more with the Shelburne Volunteer Fire Department a gift of \$300.00 in recognition. The retiring members' helmet may also be offered if desired.

3. Retiring members who have served 25 years or more a gift of \$200.00 will have their number retired from service.

34. Retiring members will receive a party or gift outlined in Article XVII Section 2 only once, not on multiple reinstatements and retirements from the Department.

5. All retired members may attend all Departmental functions and meetings. They may be given permission to speak at a meeting by the ~~current members~~ membership but may not vote, move motions, or propose amendments to any motions.

ARTICLE XVI — ~~ORDER~~ XVIII - AMENDMENT OF BUSINESS AT MEETINGS

1. Roll Call

~~2. Minutes of the Previous Meeting~~

3. Treasurer's Report

4. Standing Committee's Reports

5. Special Committee's Reports

~~6. Correspondence~~

7. Admittance of New Members

8. Bills Against the Department and Town

~~9. Unfinished Business~~

10. New Business

~~11. Review of Alarms~~

~~12. Collection of Fines~~

13. Members in Arrears in Attendance

~~14. Receipts of the Evening~~

15. Adjournment

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ARTICLE XVII BY-LAWS

~~1.~~ ~~1.~~ The By-Laws shall be reviewed by the By-Law Committee every five (5) years.

2. Any member wishing to amend, alter or repeal any of these ~~by-laws~~ By-Laws must give written notice ~~at a~~ a regular monthly meeting of the department. The proposal will be placed on the agenda for the next regular meeting of the Department or at a special meeting.

~~3.~~ ~~2.~~ No ~~by-law~~ By-Law shall be amended or repealed except by a majority vote of the department at a meeting ~~held after due notice has been given as required by section 1. at which a quorum is present.~~

~~4.~~ ~~The by-laws shall be reviewed every five years.~~ 4. Proposals for amendments arising from the review ~~of the By-Law Committee~~ will be presented to the Department, ~~at the next regular meeting or a special meeting. will be called~~ for discussion and ~~(dis)approval as appropriate.~~

~~5.~~ A proposal for amendment by either a member or the By-Law Committee shall be read at a meeting, this being defined as the First Reading. The Second Reading will be at the next regular meeting or a special meeting. If, after discussion, a motion is put forward to have the amendment(s) entered in the By-Laws of the Shelburne Volunteer Fire Department, a vote shall be called by show of hands.

6. All ~~4.~~ Any and all revised ~~by-laws~~ By-Laws will be submitted to the Shelburne Town Council for ratification. ~~before they become the governing document for the Department.~~

Appendix

The Criminal Code of Canada defines 'Harassment', 'Uttering Threats' and 'Assaults' as follows:

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Criminal Harassment

264. (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.

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Prohibited Conduct

(2) The conduct mentioned in subsection (1) consists of
(a) repeatedly following from place to place the other person or anyone known to them;
(b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
(c) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
(d) besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
(e) engaging in threatening conduct directed at the other person or any member of their family.

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Uttering Threats

264.1 (1) Every one commits an offence who, in any manner, knowingly utters, conveys or causes any person to receive a threat
(a) to cause death or bodily harm to a person;
(b) to burn, destroy or damage real or personal property; or
(c) to kill, poison or injure an animal or bird that is the property of any person.

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Assault

265. (1) A person commits an assault when
(a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
(b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
(c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

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**BY-LAWS OF THE SHELBURNE
VOLUNTEER FIRE DEPARTMENT**

OF

**SHELBURNE
NOVA SCOTIA**

November 4, 2024 v1.14

TOWN AMENDMENT REQUEST

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ARTICLE I – NAME

1. This Department shall be known as the Shelburne Volunteer Fire Department.
2. The membership of the Department shall not exceed the number (55) recommended by the Department and approved by the Town Council.

ARTICLE II – OBJECTIVE

1. The objective of this Department is the prevention of fire and protection of life and property within the limits of the Town of Shelburne and the Shelburne Fire District.
2. When responding to any call for service, decisions on the apparatus used will be made by the Chief, Deputy Chief or the Officer in charge.
3. At no time will the Town be left without adequate protection. If necessary, a call for Mutual Aid from neighboring departments will be made.

ARTICLE III – EXECUTIVE AND FIRE OFFICERS

1. The Executive of the Department shall consist of a Chief, Deputy Chief, Captain and Lieutenant for each truck with a crew of six or more (for a crew of less than six, one officer is sufficient), President, Secretary, Treasurer, Registrar, and Training Coordinator. No member may simultaneously hold two Executive offices.
2. The Fire Officers shall consist of the Chief, Deputy Chief, Captains and Lieutenants.

ARTICLE IV – COMMITTEES

1. The standing committees shall be Investigating Committee, Sick and Accident Committee, Firefighter of the Year Committee, Equipment and Clothing Committee, Public Relations Committee, Ways and Means Committee, Sports Committee, By-Law Committee, Retirement Committee, and Bar Committee. All committees shall be composed of a minimum of three (3) members. All committees will choose their own Chair, and will hold meetings as often as necessary, and will submit a Meeting Report to the next general meeting.
2. Special committees may be appointed at any time. Any such committee will select its own chair. Special committees will meet at the call of the Chair. Special committees may be disbanded at any time by a majority vote of the general membership.

ARTICLE V – MEETINGS AND PRACTICES

1. The regular monthly meeting of the Department shall be held on the first Monday of each month, except on all holidays, when the meeting will be held on the second Monday of the month. The January meeting will be considered the Annual General Meeting. At every meeting the roll will be called at 7:30 p.m.

2. Special meetings may be called by the Chief or President, or upon a written request to the Chief, President, or Secretary from any seven members. The Secretary will make all reasonable efforts, including the use of electronic means and/or telephone calls, to notify members of the time, place, and purpose of the special meeting. The regulations and penalties governing general meetings will be enforced at special meetings.

3. Anyone wishing to speak at any meeting will rise and address the Chair. No member shall leave any meeting without notification to the Chair.

4. All meetings will normally be chaired by the President. However, the President may name an alternate Chair except for the Annual General Meeting and Special Meetings. The duties of the Chair include the preservation of order and decorum, the enforcement of strict compliance with the by-laws, and the imposition of all fines except those requiring a vote of the department. In the case of a voice vote, the Chair will vote only in the case of a tie. However, when a vote is conducted by ballot, the Chair will have the right to vote. The Chair will rule on all points of order, subject to a challenge from the floor which will be upheld only in the case of a two-thirds majority of those voting.

5. A quorum shall consist of one-half plus one of the active members of the department.

6. Voting on routine matters will occur by means of a voice vote. Voting on the admission of new members and acceptance or rejection of reasons for absence from meetings and practices, or general dereliction of duty, will follow the traditional practice using orange and green beans, where green represents a yea vote and orange represents a nay vote. The election of Executive and Fire Officers at the Annual General Meeting will occur by means of paper ballots.

7. A regular monthly practice shall be held on the second Thursday of each month at 7:00 p.m. If the scheduled practice falls on any holiday, the practice shall take place on the following Thursday.

8. When special circumstances warrant, the President, upon consultation with the Executive Committee, may change the time or date of a meeting or practice.

9. Order of Business at Meetings.

1. Call the Meeting of the Shelburne Volunteer Fire Department to order, Roll Call
2. Minutes of the Previous Meeting

3. Treasurer's Report
4. Standing Committee Reports
5. Special Committee Reports
6. Chief's Report
7. Correspondence
8. Admittance of New Members
9. Bills
10. Unfinished Business
11. New Business
12. Members in Arrears
13. Review of Alarms
14. Collection of Fines
15. Receipts of the Evening
16. Closing Announcements and Call for Adjournment

ARTICLE VI – DUTIES OF EXECUTIVE FIRE OFFICERS AND MEMBERS

1. **CHIEF:** The Chief is responsible for all operational aspects of the Department including, but not limited to: the movement of vehicles, the assignment of members to equipment and duties, control of on-scene activity and maintenance of the operational capability of all equipment. The Chief will also promptly and impartially enforce all By-Laws and rules of the department relating to the operational performance of the Department and its members.

When required, the Chief may make a public statement regarding an operational matter.

When acting as an Officer of the Department, the Chief shall always conduct him/herself properly and perform the assigned duties faithfully. The Honorarium shall be \$500.00 annually payable by the Department.

2. **DEPUTY CHIEF:** The primary duty of the Deputy Chief is to assist the Chief and, in the absence of the Chief, to perform all duties as outlined in Article VI Section 1. The Honorarium shall be \$400.00 annually, payable by the Department.

3. **CAPTAINS:** The duty of each Captain is to take charge of their respective trucks, to preserve the discipline of their crews, and instruct them in their duties. They will ensure that all equipment is in proper working order and report any deficiencies to the Chief. Each Captain shall carry out the orders of the Chief or Deputy Chief and direct the on-scene operation of their truck and crew, both assigned and temporary, ensuring their safe and efficient performance. Captains shall supervise the relief of the crew members during severe fires to ensure that they maintain the highest possible level of efficiency and safety.

4. **LIEUTENANTS:** The duty of the Lieutenants is to assist their Captain. In the absence of the Captain, the Lieutenant will take charge of their crew and perform all duties outlined in Article

VI Section 3.

5. **TRAINING CO-ORDINATOR:** The Training Coordinator will arrange and oversee training sessions for the members at practices. The Training Coordinator will be assisted by the Lieutenants, one of whom will oversee training sessions if the Training Coordinator is absent. The Training Coordinator may be any member of the Shelburne Volunteer Fire Department with at least two (2) years service.

6. **PRESIDENT:** The President is responsible for the handling of all administrative (non-operational) aspects of the Department. The President will preside at all annual, special, and monthly meetings whenever possible. The President will enforce all By-Laws and rules of the Department relating to the administration of the Department. When required, the President may make a public statement regarding Departmental administrative matters. The President may be a retired member of the Department. The Honorarium shall be \$250.00 annually payable by the department.

7. **SECRETARY:** The Secretary shall keep a correct record of the proceedings of all meetings. The Secretary will keep on file all documents relating to the Department. The Secretary will, at each regular meeting, read the minutes of the last regular and special meetings. The Secretary will record the names of members absent from the meeting. The Secretary will notify candidates of their election or rejection if they are absent from the meeting at which their proposed admission to the Department is discussed. The Secretary will handle all correspondence in a manner deemed fit by the President. The Honorarium of the Secretary shall be \$150.00 annually payable by the Department.

8. **TREASURER:** The Treasurer will maintain a proper accounting of all monies received by the department and pay all properly approved bills. Bills for a specific project which has been authorized by the general membership may be approved by the President; all other bills must be presented at a meeting for approval by the general membership. The Treasurer will give a verbal report on the financial position of the Department at all regular meetings. After the Department's fiscal year-end, the Treasurer will provide a year-end review to an accounting firm that will prepare a financial report adequate to meet the Department's requirement and for filing with the Canada Revenue Agency, as required by law. The Treasurer shall be bonded and will be given signing authority and the authority to transfer funds between various Departmental accounts up to a value of \$500.00 without membership approval at a meeting. The Honorarium shall be \$150.00 annually, payable by the Department.

9. **REGISTRAR:** The primary duty of the Registrar is to maintain a complete and accurate record of the members which will include their date of entry, the date on which their probationary period was completed, all periods of Leave of Absence, and their total time served. The Registrar will call the roll at every meeting and practice. The Registrar will maintain a record of every members' response to alarms. The Registrar will be responsible for coordinating the applications for all long service medals, including the Nova Scotia Fire Services Long Service

Medal and Bars, The Canadian Volunteer Fire Services Association Municipal Long Service Award (in consultation with the CAO of the Town), and the Fire Services Exemplary Service Medal. The Registrar will also collect fines at all meetings and pass them to the Treasurer and keep an accurate monthly record of members in arrears. The honorarium of the Registrar shall be \$150.00 annually, payable by the department.

10. DRIVER/OPERATORS: Driver/Operators will normally have served as a member of the Department for a minimum of two (2) years and will have received proper training under the supervision of the relevant Fire Officers. However, when circumstances warrant, the Executive Committee, on the recommendation of the Officers of their truck, may appoint a member with less than two (2) years of service as a Driver/Operator.

Driver/Operators will operate their assigned truck, unless ordered to operate a different truck by a Fire Officer. They will ensure that their assigned truck is in proper condition to leave the station in case of an alarm and will report to the Captain or Lieutenant of the truck any deficiencies. When responding to an alarm, the first driver arriving at the fire station will take control of their assigned truck but will wait for an officer in charge, or a senior member assigned to that truck to order them to leave the station.

When on-scene, no Driver/Operator will leave the truck unattended unless ordered to do so by the Officer in charge of the truck. On returning from an alarm, the driver and the Officer in charge of the truck will see that the truck is fully fueled, the booster tank is full, and all valves and connections are in proper order, and will ensure that the pump and booster lines are thoroughly drained after pumping operations during the winter. No Driver/Operator is to use a siren when returning from an alarm.

Prior to approval as a driver/operator, a drivers abstract will be required to be presented to the Chief. A drivers abstract may be requested at any point during your tenure as a driver/operator for the Shelburne Volunteer Fire Department.

All driver/operators must have the N restriction removed from their Nova Scotia Drivers License.

11. MEMBERS: To be eligible for election as an active member of the Department, a person must be at least 19 years of age; must live no farther than 5 kilometers from the fire hall or work within 5 kilometers of the fire hall and be able to leave their place of work to respond to alarms. No more than 40% of the maximum membership may live outside the Town Boundaries. A member who becomes ineligible for membership because of a move of residence beyond these limits and/or a change in the location of their employment must either retire or resign from the Department.

No member of the Shelburne Volunteer Fire Department may simultaneously be a member of any other Volunteer Fire Department.

In the absence of extenuating circumstances, Members must attend all regular and special meetings, practices, training sessions and special activities of the department, and obey all lawful orders. The Shelburne Volunteer Fire Department is well-respected in the community and all members must be aware that the identity of all members of the Department is well known to the local population. It is imperative, therefore, that all members must conduct themselves in a manner appropriate to the responsibility and faith reposed in them by their fellow citizens.

When an alarm is sounded, all available members must proceed immediately to the fire station or scene for assignment. Each member is responsible for ensuring that their attendance is recorded on the alarm register, even if the alarm is subsequently cancelled before deployment.

The first member to arrive at the station in response to an alarm shall take immediate command until the arrival of one of the Fire Officers. The orders of any such member shall be obeyed under the same penalties as if the orders had been issued by a Fire Officer.

Upon arrival on-scene, members must remain with their respective apparatus until called for duty by a Fire Officer or Incident Commander.

Firefighters Allowance: A member who has served in the Department for a complete calendar year is entitled to receive the annual Firefighter's Allowance of \$150. A member who has served for less than a complete calendar year will receive an amount proportional to the number of months served.

Bunker Gear and Pager, Key and Uniforms: All members of the Department will be issued a pager and charger as well as a set of bunker gear, including boots, pants, jacket, gloves, flash hood and helmet. Members must sign for, and will be responsible for their gear, and must use only the bunker gear which has been assigned to them. Any damage or deficiencies must be reported to their Captain or Lieutenant.

Fire Hall Keys: All members who successfully complete their period of probation will be provided with keys to the Fire Hall and Clubroom.

Station Wear: All members who successfully complete their period of probation will be permitted to purchase a set of station wear, consisting of a black shirt with SVFD shoulder patches and nametag, tie, belt and a pair of black trousers. The member will pay \$150 of the cost with the remaining covered by the Department. The Department will only cover the remaining balance of the cost once per member.

ARTICLE VII - DUTIES OF COMMITTEES

The Chair of each Committee may give a report of the Committee's activities at each regular meeting of the Department.

1. The By-Law Committee will undertake a review of the By-Laws every five (5) years and during the intervening period will maintain an account of all revisions made.
2. The Investigating Committee will consider all applications for membership and present the information at the next regular meeting along with the committee recommendation.
3. The Sick and Accident Committee will investigate and, where possible, visit all cases of sickness or disability of active, retired, or honorary members, and shall have authority to purchase an appropriate gift, up to a value of \$100. After the death of an active or retired member of the Department the Committee is authorized to spend up to \$100 either for flowers, or to donate to the deceased's charity of choice, according to the wishes of the family, and in accordance with the provisions of Article XII Section 5. Anyone who is aware of the illness of any regular or retired member should report this the Sickness and Accident Committee.
4. The Equipment and Clothing Committee will keep an inventory of all bunker gear and equipment and make recommendations to the department for the purchase of new or replacement clothing or equipment as required by members. The Committee will ensure that all members sign for their clothing and equipment.
5. The Public Relations Committee will act as the liaison between the Department and the public in all matters pertaining to the Department's work.
6. The Ways and Means Committee will plan and implement fund-raising projects.
7. The Sports Committee will consider all requests for assistance from Departmental sporting groups and will make recommendations regarding any such requests to the membership. The Committee will work in conjunction with the Ways and Means committee on all fundraising activities for sporting groups.
8. The Firefighter of the Year Committee shall consist of the Captains of each truck. In December, each Captain shall nominate to the Executive Committee a member of their crew for consideration. In determining the recipient, the Executive Committee shall consider all factors, including attendance at meetings, practices and alarms, participation in department related activities, leadership, and other contributions to the department. The Executive Committee will then vote for the recipient to be named and recognized at the Annual Fire Department Smoker in January.

9. The Retirement Committee will provide a liaison between the active and retired members of the Department. The Committee shall also assist the President and Registrar in making decisions regarding the award of certificates, pins, medals, gifts, etc.

10. The Bar Committee will operate the Firefighter's Bar. The Committee must ensure that the bar is operating within Provincial regulations and that all appropriate licenses are acquired and/or cancelled, as required. The Committee will consider all requests from outside agencies or people for the use of bar facilities and will make an appropriate recommendation to the membership.

11. At the regular meeting in November, a Nominating Committee of five members shall be appointed to bring in a slate of Executive and Fire Officers for the coming year. All members of this Committee must have served as a member of the Department for a minimum of three (3) years. The committee will present its report at the December meeting and at this time ask for further nominations. The names of all nominees will be posted on the bulletin board until the Annual General Meeting in January. At that meeting, the chairman of the Nominating Committee will once again present the report and call for further nominations for each office.

- A. If no candidate receives a majority of the votes cast, the names of the two candidates with the most votes shall be retained, all others shall be removed from the ballot, and the election continued. The candidate receiving the majority of all votes cast will be declared elected. All nominees, prior to election, may offer for a lesser office.
- B. Should a vacancy occur among the Executive and Fire Officers of the Department, it shall be filled at the next regular or special meeting called for that purpose. Nominations will be received from the floor and an election shall be held using a paper ballot.

ARTICLE VIII - PROPOSALS FOR MEMBERSHIP

1. All applications for membership in the SVFD will be assessed by the Investigating Committee to evaluate the applicant's suitability and eligibility. The Committee will provide the applicant with a copy of the current By-Laws of the Department and the *Candidate Information Package*.

2. All applications for membership will be presented to a regular meeting by the Investigating Committee which will recommend acceptance or rejection. If a quorum is present, the members will vote either for or against the Committee's recommendation, following the procedure outlined in Article V Section 6. If a majority of the members present vote in favor, the applicant will become a probationary member of the Department.

3. All probationary members of the Department must sign the Time Book at the next scheduled monthly training practice immediately following the meeting at which their application for probationary membership was approved. Failure to do so, in the absence of a

legitimate medical, employment-related, or personal reason deemed acceptable by the membership, will result in the revocation of the probationary membership.

4. Probation period is for a minimum of six (6) months and a maximum of eight (8) months. During that period, the probationary member will be expected to attend all alarms, meetings and practices.

5. All newly admitted probationary members will be assigned to Truck 6 for their first two months, then to each of the other trucks for one month, normally in the following order of Trucks 1, 4, 3 and 2.

6. During their probationary period, the newly admitted probationary member will be required to demonstrate his/her mastery of the eight (8) competencies outlined in the *Candidate Information Package* and ensure that the Training Coordinator certifies that each has been completed.

7. At the first meeting following the end of the period of probation, the Registrar will provide a report indicating the new probationary member's record of attendance at meetings, practices, other training sessions and alarms. If a quorum of members is present, they vote to confirm or deny permanent membership, following the procedure outlined in Article V, Section 6.

ARTICLE IX - ELECTION OF EXECUTIVE AND FIRE OFFICERS

1. To be eligible for election as President, Captain or Lieutenant, a member must have served as a firefighter in the Shelburne Volunteer Fire Department for at least four (4) years. To be eligible for election as Chief or Deputy Chief, a member must have served as a Captain or Lieutenant in the Shelburne Volunteer Fire Department for at least three (3) years.

2. At the January meeting of the Department, the chairman of the Nominating Committee will hold an election, based on the slate of candidates whose names were posted on the bulletin board in the Clubroom in December and nominations taken from the floor at the January meeting.

3. The chairman will provide each nominee with the opportunity to address the membership, outlining the case for their elections. The members present will then vote, using a paper ballot prepared by the Nominating Committee. Three members shall be appointed by the Nominating Committee chairman to act as scrutineers whose duty it shall be to count the ballots. If no candidate receives a majority of the votes cast, the names of the two candidates with the most votes shall be retained, all others shall be removed from the ballot, and the election continues using a paper ballot prepared by the Nominating Committee. The candidate receiving the majority of all votes cast will be declared elected.

4. Should a vacancy occur among the Officers of the Department at any time, it shall be filled at

the next regular meeting, or at a special meeting called for that purpose. Nominations will be received from the floor during the meeting.

ARTICLE X – FINES AND REMEDIAL ACTION

1. Fines will be assessed as follows:

A. For absence at an entire meeting or practice: \$1.00

B. For failure to wear station dress (black pants and shirt) at a meeting: \$1.00

C. For interfering with operational command while on-scene, the offending member will be brought in front of the Executive to explain the situation and if, after this investigation is completed and remedial action is warranted, the Executive will present to the Membership at the following meeting their recommended course of action, including a fine of \$10.00 and risk of expulsion from the Department, and a vote will be held following the procedure outlined in Article V Section 6 .

ARTICLE XI - NEGLECT OF DUTIES

1. The Department is a collegial and cooperative organization, and members have a great deal of responsibility. The dates of meetings and training sessions are known in advance, and all members are expected to attend all of them, unless prevented from doing so because of their work schedule, illness, injury, or family obligations.

2. When a member misses three (3) consecutive meetings or three (3) consecutive practices, they will be notified by the Secretary, in writing, that their continued membership in the Department is in jeopardy and will have to be reaffirmed by the membership at the upcoming fourth (4th) meeting where they will be required to justify their absences in person or in writing and a vote will be held following the normal practice as outlined in Article V Section 6. If the membership votes not to accept the justification offered by the member, that member will be expelled from the Department. If the member does not respond in person or in writing at the fourth (4th) meeting, that member will be automatically expelled from the Department.

3. When a member misses six (6) meetings or six (6) practices within a 12-month period, they will be notified by the Secretary, in writing, that their continued membership in the Department is in jeopardy and will have to be reaffirmed by the membership at the next regular meeting where they will be required to justify their absences in person or in writing and a vote will be held following the normal practice as outlined in Article V Section 6. If the membership votes not to accept the justification offered by the member, that member will be expelled from the Department. If the member does not respond in person or in writing, that member will be automatically expelled from the Department.

4. All members are expected to respond to all alarms, unless prevented from doing so because

of their work schedule, illness, injury, or family obligations. If a member attends less than 20% of recorded alarms in a calendar year (new members will be prorated to their date of acceptance in the Department), the Registrar will inform the Secretary at the January meeting, who will write to the member warning them that their continued membership in the Department is in jeopardy and their Provincial incentives for volunteer firefighters will not be met. The member will have to be reaffirmed by the membership at the next regular meeting where they will be required to justify their absences in person or in writing and a vote will be held following the normal practice as outlined in Article V Section 6, on whether to permit the member to remain in the Department. If the membership votes not to accept the justification offered by the member, that member will be expelled from the Department. If the member does not respond in person or in writing, that member will be automatically expelled from the Department.

ARTICLE XII - GENERAL

1. The business year of the Department shall be the same as that of the Town of Shelburne.
2. The Department shall meet annually with representatives from the Town of Shelburne. The primary purpose of this meeting is for the Town to understand the Department's budget and to assist in the Town's financial planning related to events, vehicle acquisitions, and equipment purchases by the Department.
 - a. The following representatives are required to attend the annual budget consultation meeting:
 - o The Fire Chief of the Shelburne Volunteer Fire Department,
 - o The President of the Shelburne Volunteer Fire Department,
 - o The Treasurer of the Shelburne Volunteer Fire Department,
 - o The Chief Administrative Officer (CAO) of the Town of Shelburne, and
 - o The Finance Manager of the Town of Shelburne.
 - b. The meeting shall occur annually, no later than January 15th of each fiscal year, or as mutually agreed by both parties.
 - c. The meeting will focus on a review of the Department's annual budget, planned participation in any events or training that could impact the Town's financial planning, including travel expenses, event fees, or other related costs, planned purchases of vehicles or major equipment, including timelines for acquisition, estimated costs, and potential funding sources, and financial forecasts and future needs that may affect the current Town's budget allocations or long-term financial strategy.
 - d. The Treasurer of the Shelburne Volunteer Fire Department shall provide a detailed budget report, including an outline of anticipated expenses for events, vehicle purchases, and equipment upgrades.
 - e. The Town of Shelburne's CAO and Finance Manager shall review the provided information to understand the financial needs and activities of the Fire Department, and plan for any potential impact on the Town's overall financial resources.

3. Only active, retired, and honorary members of the Department will be permitted to visit the Firefighter's Club Room on Smoker Nights, unless a special dispensation is granted at a meeting of the Department. At all other times, active and retired members may bring a maximum of three (3) guests to the Club Room. Members are responsible for the behavior of their guests and will be held accountable for any misbehavior on their part.

4. Request for rental or loan of the Firefighter's Club Room and facilities must be brought forward for consideration at a monthly meeting of the Department.

5. The Chief or Deputy Chief has authority to loan small items or equipment on the condition that such equipment must be returned promptly or, if damaged, replaced promptly.

6. In the event of the death of an active member, retired member or member of the Ladies Auxiliary, at the request of the family, the Chief or President will make the necessary arrangements to honor the deceased.

7. The Department shall ask the Town of Shelburne to pay all expenses of the Chief or Deputy Chief to attend any events deemed appropriate to represent the Department.

8. Any member using his/her personal vehicle for department business pre-authorized by the Chief or Deputy Chief, shall be entitled to kilometer reimbursement at a rate used by the Town at the time.

10. Members are personally responsible for obeying all traffic laws when responding to alarms and shall be fully liable in the event of an accident or violation of any laws while driving their personal vehicle.

11. In the event of the death of an active member of the Department, including those on a leave of absence, their assigned number shall be retired from service. A plaque with the members photograph, years of service and date of passing shall be displayed at the station at a location deemed fit to honor those members. The members' helmet may also be offered to their family if desired. This shall be overseen by the Sick and Accident Committee.

12. Time served during a Military deployment will be counted as time served in the Department.

ARTICLE XIII - HONORARY MEMBERSHIP

1. Any person who is ineligible to become an active member but performs some outstanding service to the Department may be elected as an Honorary member by resolution of the Department and shall be presented with a certificate indicating this status.

ARTICLE XIV - EXPULSIONS

1. Any member who willfully alters, defaces, damages, or destroys any property of the Department, Town, or another firefighter, may be expelled from the Department.
2. Any member caught stealing anything from a fire scene or otherwise, may be expelled from the Department.
3. Any member who assaults, utters threats against, or harasses another member of the department, their spouse or minor, as defined by the Criminal Code of Canada (See Appendix) may be expelled from the Department.
4. All decisions regarding expulsions from the Department, except for those defined in Article XI, shall be by secret ballot at a regular meeting at which a quorum is present. A majority vote shall govern.

ARTICLE XV - LEAVE OF ABSENCE

1. On receiving a written application from a member deemed to be 'in good standing', the Chief may grant a leave of absence from the Department for a period of up to six months once within a twelve (12) month period. The member may ask for permission to return to active duty at any time during this period, with the Chief reserving the right to refuse an early return if they deem this to be in the best interest of the member.
2. Any further request for extensions beyond six (6) months and in six (6) month increments, the member or a member designate, will bring the matter to a regular meeting of the Department, either in person or writing, and the membership will decide whether the extension is to be approved following the procedure outlined in Article V Section 6.

ARTICLE XVI REINSTATEMENT

1. A member may elect to leave the Department at any time, after giving written notification to the membership.
2. If the member wishes to rejoin the Department at a future date, they will submit a written application to the Department and the membership will vote, following the procedure outlined in Article V Section 6, to accept or reject the members application. A favorable vote will permit the applicant's record of service to be continued from the last recorded attendance. A re-instated member will be required to complete the new candidate competencies.

ARTICLE XVII - RETIREMENTS

1. A member who retires after a minimum of sixteen (16) years of service with the Shelburne Volunteer Fire Department will be issued a certificate recognizing the number of completed years of service.
2. Retiring members will be honored in the following ways outlined below.
 - A. Any retiring member who has served for a minimum of 16 years with the Shelburne Volunteer Fire Department will be entitled to a party costing up to \$150 that is not monetarily redeemable as a gift or the retiring members' helmet.
 - B. The Department will also provide a retiring member with 16 to 19 years' service with the Shelburne Volunteer Fire Department, a gift of \$150.00 in recognition.
 - C. The Department will also provide a retiring member with 20 to 25 years' service with the Shelburne Volunteer Fire Department, a gift of \$200.00 in recognition.
 - D. The Department will also provide a retiring member with 26 to 35 years' service with the Shelburne Volunteer Fire Department, a gift of \$250.00 in recognition.
 - E. The Department will also provide a retiring member with 36 years' service or more with the Shelburne Volunteer Fire Department a gift of \$300.00 in recognition.
3. Retiring members who have served 25 years or more will have their number retired from service.
4. Retiring members will receive a party or gift outlined in Article XVII Section 2 only once, not on multiple reinstatements and retirements from the Department.
5. All retired members may attend all Departmental functions and meetings. They may be given permission to speak at a meeting by the membership but may not vote, move motions, or propose amendments to any motions.

ARTICLE XVIII - AMENDMENT OF BY-LAWS

1. The By-Laws shall be reviewed by the By-Law Committee every five (5) years.
2. Any member wishing to amend, alter or repeal any of these By-Laws must give written notice at a regular monthly meeting of the department. The proposal will be placed on the agenda for the next regular meeting of the Department or at a special meeting.
3. No By-Law shall be amended or repealed except by a majority vote of the department at a meeting at which a quorum is present.

4. Proposals for amendments arising from the review of the By-Law Committee will be presented to the Department at the next regular meeting or a special meeting will be called for discussion and approval.
5. A proposal for amendment by either a member or the By-Law Committee shall be read at a meeting, this being defined as the First Reading. The Second Reading will be at the next regular meeting or a special meeting. If, after discussion, a motion is put forward to have the amendment(s) entered in the By-Laws of the Shelburne Volunteer Fire Department, a vote shall be called by show of hands.
6. All revised By-Laws will be submitted to the Shelburne Town Council for ratification before they become the governing document for the Department.

Appendix

The Criminal Code of Canada defines 'Harassment', 'Uttering Threats' and 'Assaults' as follows:

Criminal Harassment

264. (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.

Prohibited Conduct

(2) The conduct mentioned in subsection (1) consists of

- (a) repeatedly following from place to place the other person or anyone known to them;
- (b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
- (c) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
- (d) besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or

(c) engaging in threatening conduct directed at the other person or any member of their family.

Uttering Threats

264.1 (1) Every one commits an offence who, in any manner, knowingly utters, conveys or causes any person to receive a threat

(a) to cause death or bodily harm to a person;

(b) to burn, destroy or damage real or personal property; or

(c) to kill, poison or injure an animal or bird that is the property of any person.

Assault

265. (1) A person commits an assault when

(a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;

(b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or

(c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

Proposed Committee Appointments 2024/25: (Updated Nov 2024)

Internal:

Asset Management: 2 Council Members, Finance Manager ✓

Audit Committee: All Council Members, Finance Manager, Executive Coordinator ✓

Port Authority Committee: 2 Council Members, Finance Manager, Finance Officer ✓

Source Water Protection Committee: 1 Council Member, Water Plant Operator, Executive Coor ✓

Heritage Advisory Committee: 2 Council Members, Senior Planner, HR Coordinator ✓

External:

Shelburne Events Committee: 1 Council Member, Executive Coordinator ✓

Arena Commission: 2 Council Members ✓

Region 6 Waste Management Committee: 1 Council Member, 1 Alternate ✓

Library Western Zone Committee: 1 Council Member ✓

RCMP Advisory Committee: 2 Council Members, Executive Coordinator ✓

Roseway Manor Board: 2 Council Members ✓

Shelburne & Area Chamber of Commerce: 1 Council Member ✓

Accessibility Committee: 1 Council Member, HR Coordinator ✓

Housing Committee: 1 Council Member ✓

Kids Fair Play Fund Committee: 1 Council Member ✓

Roseway Hospital Charitable Foundation: 1 Council Member ✓

REMO – Regional Emergency Management Organization: Mayor, 1 Council Member, CAO

Mayor Jacklin:

Audit

Port

Source Water Protection

Shelburne Events

Region 6 (alternate)

Roseway Manor Board

REMO

Deputy Mayor D. Acker

Asset Management

Audit

Arena

RCMP

Shelburne & Area Chamber of Commerce

Councillor E. Acker:

Audit

Port

Region 6

Library

Roseway Manor Board

Housing

Councillor Cruz

Asset Management

Audit

Heritage Advisory

Accessibility

Kids Fair Play Fund

Councillor Ringer:

Audit

Heritage Advisory

Arena

RCMP

Roseway Hospital Charitable Foundation



Town of Shelburne
Staff Report to Council
Election 2024 Report
November 18th, 2024

Origin:

The 2024 Election process has now essentially been completed for the Town of Shelburne.

Background:

The process began in late Fall of 2023 with the appointment of a Returning Officer, a Revising Officer, an Assistant Returning Officer and a decision by Town Council to continue with solely internet and phone voting and the selection of Intelivote as the provider of the voting system. These decisions were made at the November 6th and November 20th meetings.

The Interim CAO acted as the Returning Officer as he filled the same role in the 2020 Election while also acting as the Interim CAO. Unfortunately, the two staff members assisting him in the 2020 Election were no longer with the Town. Various election processes/ functions were allocated as follows for the 2024 Elections:

Janice MacKinley- As the Revising Officer, she took responsibility for updating the voter's list, managing the on-site polling station during the voting period and looking after the poll on Election Day. She also "troubleshooted" and communicated with both Intelivote and the Provincial Returning Officer at times.

Jessie Dyer- As an Assistant Returning Officer, she filled in for Janice when needed. However, her primary responsibility was acting as the Auditor. She had been assigned as the Auditor for the Municipality of Shelburne. In exchange Val Kean, MDS, acted as the Auditor for the Town.

Jill Webb- As an Assistant Returning Officer, she looked after the advertising as per the Elections Act and dealt with the Candidates throughout the process.

Earlier in the process, the Council updated the Alternative Voting By-law to add flexibility to the hours that the Town Hall would be open to the public for in-person help services, revision activities, and advance voting polling station. Also, the Council determined the start date/time and ending time of the voting period.

The Council also reviewed the Election Deposit By-law and chose to leave the By-law as currently stated. (i.e. \$100 refundable deposit)

The Revising Officer received the provincial preliminary list in July after Town Council decided to choose the provincial list versus undertaking enumeration or utilizing the federal list.

Staff took part in training webinars hosted throughout the months leading up to the Election Day by both Municipal Affairs and Intelivote.

Analysis:

The Election Stats gathered by Intelivote provided information which isn't available from a paper based system. Attached is the Report for 2024. It was interesting to note the % of eligible voters who voted by age range, comparing the 2020 Election and the 2024 Election as outlined below:

Age	2024 Election	2020 Election
18-19	53.8%	50%
20's	21.8%	28%
30's	30.9%	48%
40's	49.5%	60%
50's	56.6%	62%
60's	69.5%	74%
70's	78.3%	73%
80's	54.7%	68%
90's	43.8%	0%

With respect to the most popular time of the day to vote, the following information was derived from the Stats Report.

	2024	2020
1 st	11 am	12 pm
2 nd	10 am	10 am
3 rd	6 pm	6 pm

As noted, before, the cost to run the 2024 Election is as outlined below.

	<u>2024 Election</u>	<u>2020 Election</u>	
	Actual	Budgeted	Actual
Allocated Wages	\$9400	\$5500	\$3563
Intelivote	\$5302	\$6000	\$4352
Advertising	\$459	\$3700	\$2802
Bill to CSAP	(\$1611)	(\$1800)	(\$1765)
Total	\$13,560	\$13,400	\$8952

Recommendations:

1. Council, in conjunction with the NSFM, lobby the province to update the Municipal Elections Act to align the Act with e-voting.
2. Reconsider using the federal list of voters instead of the provincial list.

Attachments: Intelivote Systems Inc. Election Statistics

Ken Smith, Returning Officer

With respect to the voting by day, comparative %'s between the 2024 Election and the 2020 Elections are as follows:

Date	2024	Date	2020
Tuesday October 8 th	15.8%	Tuesday October 6 th	N/A
Wednesday October 9 th	11.2%	Wednesday October 7 th	N/A
Thursday October 10 th	4.6%	Thursday October 8 th	13.4%
Friday October 11 th	4.7%	Friday October 9 th	8.7%
Saturday October 12 th	1.7%	Saturday October 10 th	3.5%
Sunday October 13 th	1.6%	Sunday October 11 th	3.0%
Monday October 14 th	5.1%	Monday October 12 th	6.0%
Tuesday October 15 th	7.5%	Tuesday October 13 th	10.6%
Wednesday October 16 th	9.3%	Wednesday October 14 th	11.2%
Thursday October 17 th	11.4%	Thursday October 15 th	9.6%
Friday October 18 th	10.0%	Friday October 16 th	14.9%
Saturday October 19 th	17.0%	Saturday October 17 th	19.0%

We were able to run a cost effective election due to the following:

1. Council chose the option to do e-voting solely (i.e.. phone & internet). Although there were some voters who expressed frustration with not being able to vote by paper ballot, most voters appreciated the convenience of e-voting from anywhere and anytime. The cost to carry out both paper ballot and e-voting would have been significant.
2. A bill for \$1611 is being sent to CSAP assigning a calculated financial portion of our costs to CSAP.
3. Minimizing the use of paid advertising and taking advantage of social media and our website.
4. Although under pressure to meet the requirements of the Election Act, staff were able to balance these requirements with their normal job requirements.
5. Partnering with MDS to provide the Auditor functions as required by the MGA.

Although we didn't have to contend with Covid as was the case in 2020, we were challenged with the change in locations and the related demands on staff time.

A second challenge was attempting to carry out a mobile poll at the assisted living home. Due to flu/covid throughout the home, we couldn't reach the 9 potential voters

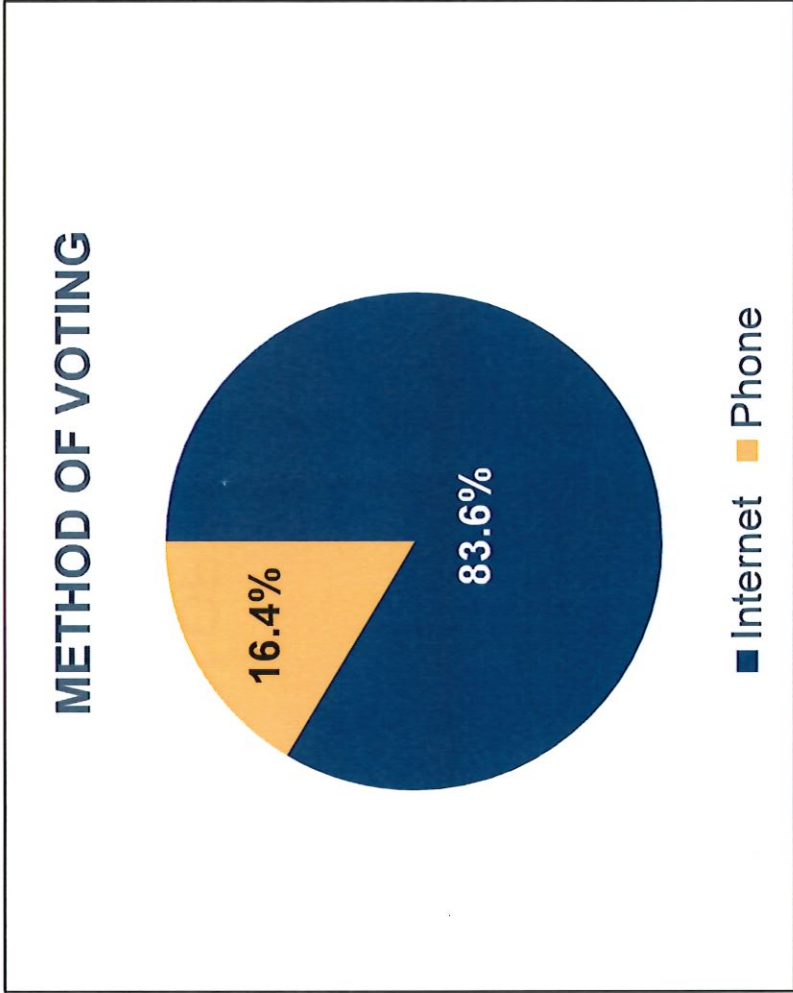


intelivote systems inc

TOWN OF SHELBURNE 2024 MUNICIPAL & CSAP ELECTIONS ELECTION STATISTICS

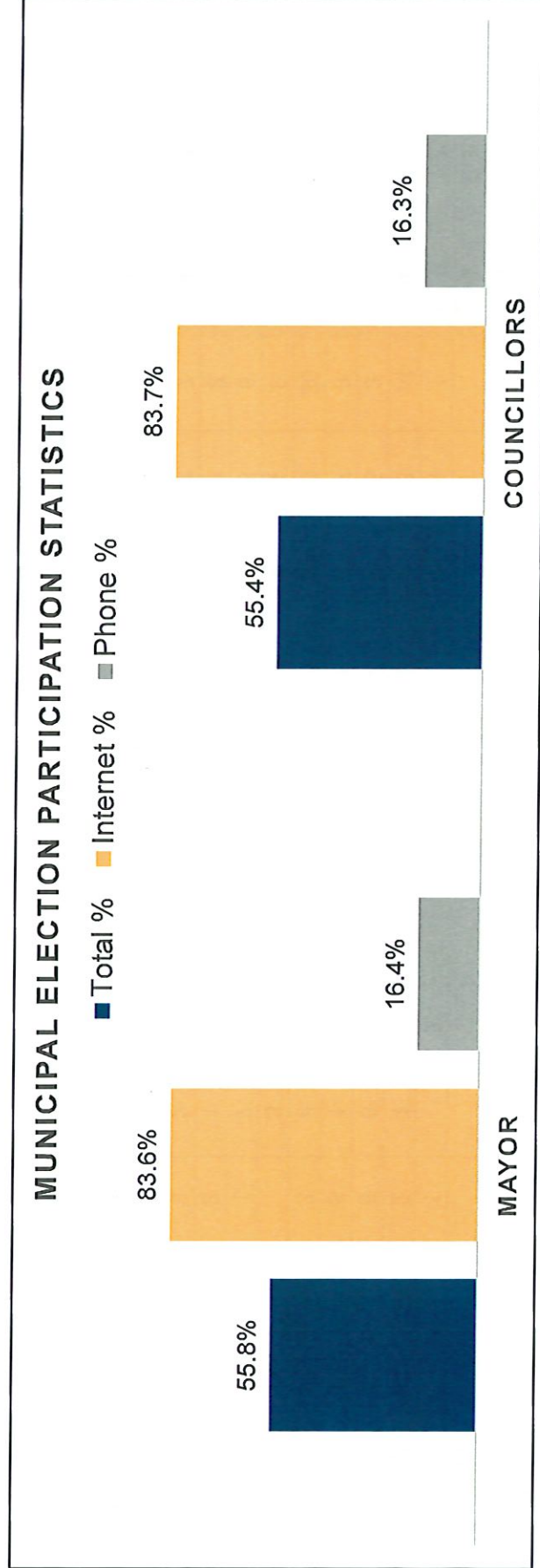
Prepared by: Intelivote Systems Inc.
Date: November 7, 2024

	Information Base	Number	%
1	Number of eligible electors in system.	1,361	
2	Number of electors who cast at least one ballot.	760	
3	Participation rate.	55.8%	
4	Voters who used the internet to vote.	635	83.6%
5	Voters who used the phone to vote.	125	16.4%
6	Internet votes cast at a kiosk computer	8	1.3%
7	Average amount of time a voter spent voting using the Internet.	1 min 31 sec	
8	Average amount of time a voter spent voting using the telephone.	2 min 54 sec	





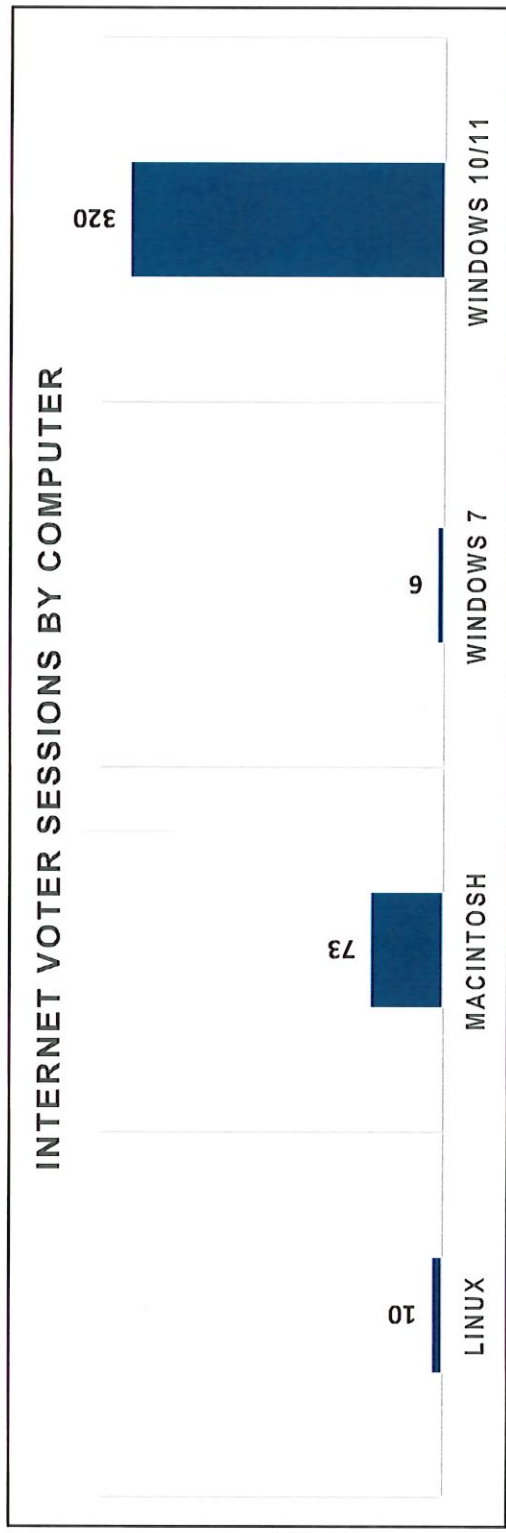
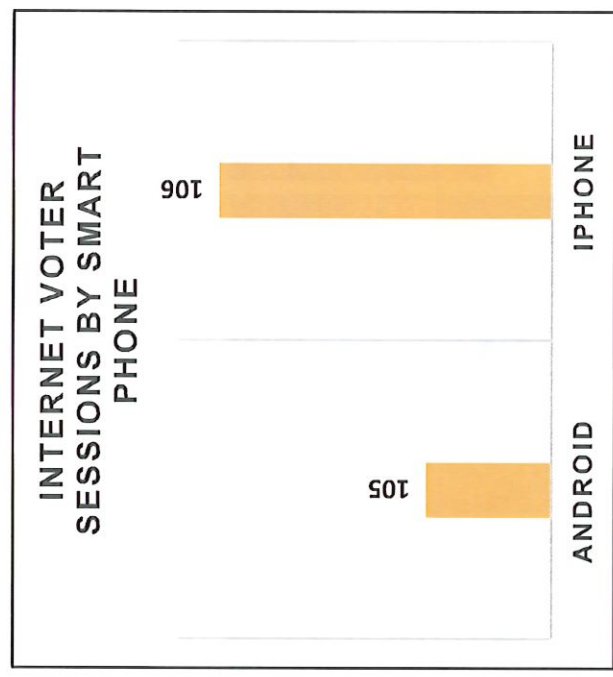
	Total Eligible Electors	Participated Eligible Electors	Total %	Internet Votes	Internet %	Phone Votes	Phone %	Spoiled Ballots	Spoil %	Declined Ballots	Declined %
1 Election Overall	1361	760	55.8%	635	83.6%	125	16.4%				
RACE	Total Eligible Electors	Participated Eligible Electors	Total %	Internet Votes	Internet %	Phone Votes	Phone %	Spoiled Ballots	Spoil %	Declined Ballots	Declined %
2 Mayor	1361	760	55.8%	635	83.6%	125	16.4%	1	0.1%	3	0.4%
3 Councillors	1361	754	55.4%	631	83.7%	123	16.3%	1	0.1%	0	0.0%



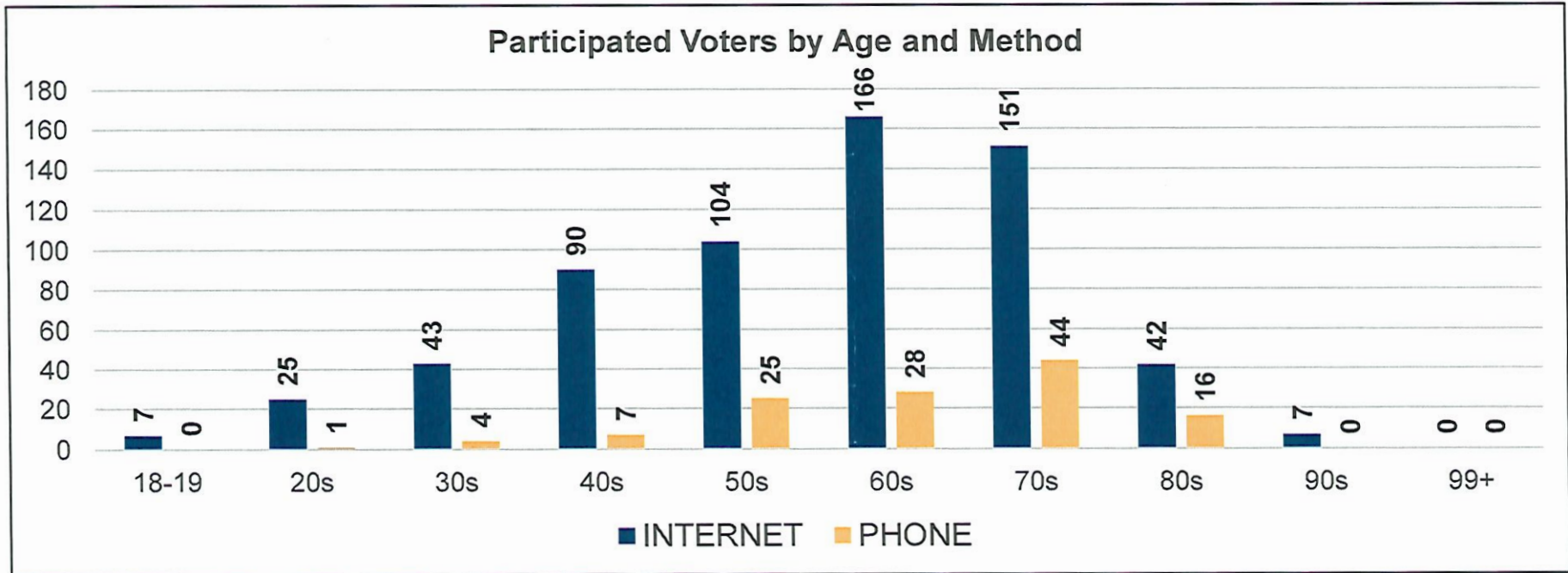
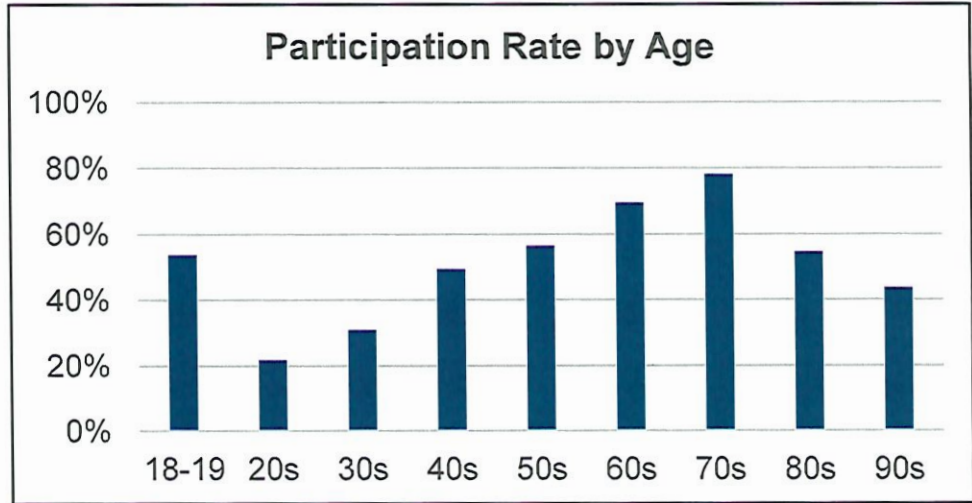


Date & Time	08-Oct	09-Oct	10-Oct	11-Oct	12-Oct	13-Oct	14-Oct	15-Oct	16-Oct	17-Oct	18-Oct	19-Oct	Grand Total	%/Hr.
12:00 AM													0	0.0%
1:00 AM													0	0.0%
2:00 AM													0	0.0%
3:00 AM													0	0.0%
4:00 AM			1										1	0.1%
5:00 AM		1								1	2		4	0.5%
6:00 AM		1									1		2	0.3%
7:00 AM			1		2		1				4	1	9	1.2%
8:00 AM	16	5	2	1		1	1	2	3	7	3	14	55	7.2%
9:00 AM	12	5	6	6			2	5	4	7	5	3	55	7.2%
10:00 AM	13	10	6	1	2		5	6	6	6	7	8	70	9.2%
11:00 AM	11	6	3	4			6	5	5	11	5	20	76	10.0%
12:00 PM	16	7		3	1		5	8	4	4	4	9	61	8.0%
1:00 PM	8	12	1	7	1	3	3	4	7	8	5	6	65	8.6%
2:00 PM	11	2	2	1	2	1	2	3	8	7	3	8	50	6.6%
3:00 PM	2	5	3	2	3		2	4	4	2	7	7	41	5.4%
4:00 PM	10	5		5	1			4	9	4	3	10	51	6.7%
5:00 PM	8	6	3		1	2		2	2	4	7	17	52	6.8%
6:00 PM	3	7	5	2		1	3	1	7	5	6	26	66	8.7%
7:00 PM	3	6		2		4	5	7	3	9	3		42	5.5%
8:00 PM	2	2	2					2	7	4	6		25	3.3%
9:00 PM	4	2		1			2	2	2	3	3		19	2.5%
10:00 PM	1			1			1	2		5	2		12	1.6%
11:00 PM		3					1						4	0.5%
Grand Total	120	85	35	36	13	12	39	57	71	87	76	129	760	100.0%
%/Day	15.8%	11.2%	4.6%	4.7%	1.7%	1.6%	5.1%	7.5%	9.3%	11.4%	10.0%	17.0%		

Device	Operating System	Voter Sessions
Computer	Linux	10
	Macintosh	73
	Windows 7	6
Smart Phone	Windows 10/11	320
	Android	105
Tablet	iPhone	106
	iPad	26
Total		646



Age Breakdown of Who Voted					
Age	ELIG.	VOTED	INTERNET	PHONE	% Part.
18-19	13	7	7	0	53.8%
20s	119	26	25	1	21.8%
30s	152	47	43	4	30.9%
40s	196	97	90	7	49.5%
50s	228	129	104	25	56.6%
60s	279	194	166	28	69.5%
70s	249	195	151	44	78.3%
80s	106	58	42	16	54.7%
90s	16	7	7	0	43.8%
99+	3	0	0	0	0.0%
Total	1,361	760	635	125	55.8%





Town of Shelburne
Staff Report to Council 2024/25 Tax Sale Proceedings
November 18, 2024

General Overview:

This report is to update Council on the Tax Sale proceedings for the fiscal year 2024/25 to be held Tuesday March 18, 2025.

Background:

Pre-Tax Sale Notices were prepared and mailed out August 30, 2024, to all property owners in arrears of taxes for the two preceding taxation years (2022/23 and 2023/24) and prior as per the Town of Shelburne Tax Sale Policy adopted December 3, 2015. Property owners were advised to pay the 2022/23 taxes and all interest outstanding to halt the Tax Sale process or make payment arrangements. Notices were mailed for fifty-one (51) properties. Four (4) properties are under Payment Arrangements and there are seven (7) properties remaining on the Tax Sale List.

Financial Analysis:

The following properties are marked for Tax Sale:
(Amounts outstanding as of November 4, 2024)

Benham, Cade Alexander	88 Bulkley St	\$4,332.96
Buchanan, Lisa	9 Harding Blvd(mobile)	\$1,788.80
Dinh, Dung	125 Water/18 Ann Sts	\$11,241.14
Dolliver, John W. & Kathleen G	Spa Rd, Land	\$339.26
Goreham, Samantha & Sears, Daphne	Cornwallis St, Land	\$1,551.60
Hndawi, Said	73 Annapolis Rd	\$2,239.86
Oickle, Erin Rochelle	5 Second St	\$1,171.67

There is an expectation that some of the above properties will be removed from the above list as Tax Sale proceedings progress. Properties can still be brought up to date and removed from Tax Sale as long as any legal fees and/or expenses incurred are also paid prior to Tax Sale.

Recommendation:

THAT Council approve the above properties marked for tax sale.

Respectfully submitted,
Jane Crowell, Finance Manager

2024-25 TAX SALE PROPERTIES UPDATED November 4, 2024

UPTO
11/04/24

#	Account #	Name	Assessment #	PID #	Civic Address	Description	2024/25	2023/24	2022/23	Prior	Interest	Total
1	BENHC001	BENHAM, CADE ALEXANDER	03931455	80142664	88 BULKLEY ST	LAND,DWELLING,BUILDING	\$ 1,320.35	\$ 1,235.00	\$ 1,177.95	\$ 383.49	\$ 216.17	\$ 4,332.96
2	BUCHL001	BUCHANAN, LISA	06408575	N/A	9 HARDING BLVD	MOBILE ONLY-1976 PRESTIGE, 14x62,SN M3860	\$ 735.98	\$ 667.47	\$ 236.74	\$ -	\$ 148.61	\$ 1,788.80
3	DINH001	DINH, DUNG	02987627	80150840	125 WATER ST/ 18 ANN ST	LAND, COMMERCIAL/APT MIX UNITS	\$ 3,649.19	\$ 3,296.91	\$ 3,044.51	\$ -	\$ 1,250.53	\$ 11,241.14
4	DOLLJ002	DOLLIVER, JOHN WAYNE & KATHLEEN GAIL	08440964	82534850	SPA RD	LOT 5, LAND	\$ 147.26	\$ 144.72	\$ 19.47	\$ -	\$ 27.81	\$ 339.26
5	GOSES001	GOREHAM, SAMANTHA & SEARS, DAPHNE DIANNE	10640369	82570367	CORNWALLIS ST	LOT 3, LAND	\$ 514.72	\$ 517.28	\$ 341.20	\$ -	\$ 178.40	\$ 1,551.60
6	HNDAS001	HNDAWI, SAID	02639823	80143399	73 ANNAPOLIS RD	LOT 2, LAND	\$ 435.12	\$ 432.86	\$ 1,256.15	\$ -	\$ 115.73	\$ 2,239.86
7	OICKE001	OICKLE, ERIN ROCHELLE	06408613	N/A	5 SECOND ST	MOBILE ONLY -1973 HILLCREST, 12x60	\$ 433.50	\$ 361.95	\$ 251.88	\$ -	\$ 124.34	\$ 1,171.67
											\$ 22,665.29	



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

November 5, 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 October, 2024.

Fiscal Year	2024/2025	2023/2024
Number of Permits Issued this Month	1	1
Number of Permits Issued to Date	12	11
Construction Value	\$ 800,000.00	\$ 0.00
Total Construction to Date	\$ 1,525,500.00	\$,744,000.00

Yours very truly,

Andrew Goreham, CRBO, CFI
Director of Inspection Services

/aad

Andrew Goreham, Manager of Inspection Services

andrew.goreham@municipalityofshelburne.ca



Calls for Service (September 1 to September 30):

1. **24-059. Service Request:** Responded to a call concerning a resident with a concern about parking on Rodney Street during new construction. Spoke with resident and contractors, contractors will be more cautious of parking. **RESOLVED.**
2. **24-060. Service Request:** Addressed a concern about feeding deer on Victoria Street. Delivered by-law to resident and reminded of by-law offence on feeding deer, pigeons and waterfowl. **RESOLVED**
3. **24-061. Service Request:** Responded to a Nosie by-law issues, dogs barking excessively on Falls Lane, investigated, no dogs heard, will follow up with a door knock. **ONGOING**
4. **24-062. Service Request:** Addressed a call dealing with zoning and property boundaries on Falls Lane. Will investigate and respond to question. **ONGOING**
5. **24-063. Service Request:** Fielded a question on Minimum Standards by-law with regard to gutters. **Will contact property owner.**

Assignments:

1. Working on the review of by-laws and Policies.

Summary of Additional By-Law Officer Duties and Outcomes:

1. **Complaint, 24-033, 24-043, 24-056: ONGOING.**
2. **Complaint, 24-050: RESOLVED**
3. Assisted in small IT tasks with support from G23 Technologies.
4. Conducting more frequent inspections of the Rogers Grovestine Complex.

Respectfully submitted,

Dana Nash



Calls for Service (October 1 to October 31):

1. **24-064. Service Request:** Responded to a letter from a resident about a Dangerous and Unightly property on Anne st. Letter stated, potential fire hazard. Had the fire inspector accompany me for inspection, property is maintained and no risk of fire. **RESOLVED.**
2. **24-065. Service Request:** Addressed a concern about advertising for Municipal Elections outside of electoral area(signs). Spoke with returning officer, candidates must follow Land Use by-law under signs. **-RESOLVED**
3. **24-066. Service Request:** Investigated a report of camper van parked for days on Water St. Parking warning issued. **- RESOLVED**
4. **24-067. Service Request:** Addressed a complaint of fencing along George st is Dangerous and Unightly. Contacted property owner, fence was removed. – **RESOLVED**
5. **24-068. Service Request:** Fielded a question about development plan about parking on Mowatt st. Referred to Development Officer. **-RESOLVED**
6. **24-069. Service Request:** Received a call about a resident feeding deer on Digby st. Inspected property, found a “bait” pile, delivered by-law and warning to resident with bait pile. **- RESOLVED**
7. **24-070. Service request:** Responded to a illegal dump site at he Roger Grovestine Complex that public works found. Found dangerous material (needles) in material that was dumped. Public works assisted with clean up. Name and address were discovered in material collected. Letter has been written to resident and mailed with copy of waste disposal by-law. Copy of letter has also been given to RCMP. Warning issued. **-RESOLVED**
8. **24-071. Service Request.** Addressed a complaint of Dangerous and Unightly on John st. Delivered notice. Will inspect at later date as per policy states. **-ONGOING**
9. **24-072. Service Request.** Addressed a concern from public works about a resident doing work on their property and leaving debris too close to sidewalk. Concern would be plowing sidewalk if work is not complete. Spoke with Resident, ensured that work will be completed before snow flies. **-RESOLVED**
10. **24-073 Service Request.** Responded to a complaint from resident, neighbour is feeding deer on Rodeny In. Letter mailed with copy of by-law. **-RESOLVED**
11. **24-074 Service Request.** Fielded a question on pools in historic district. Referred to Development Officer. **-RESOLVED**
12. **24-075 Service Request.** Addressed a parking issue at Fire Hall. Users of community center parking in fire lane. Spoke with users and vehicles were moved. **- RESOLVED**

Assignments:

1. Working on the review of by-laws and Policies.
2. Assisted with municipal election.
3. Organized installation of a foul ball net at the Albert Acker ball Field.
4. Amended Noise By-Law for first reading.