



**THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
**RECOMMENDATION REPORT**

**To:** Warden Zebian and Members of West Hants Council

**Submitted by:** \_\_\_\_\_  
Martin Laycock, Chief Administrative Officer

**Date:** June 25, 2019

**Subject:** Second Amendment to the Repeal By-law

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**Origin:**

All by-laws and policies of the Municipality of West Hants and the former Town of Hantsport are being reviewed to determine if they are relevant and should be retained, if they need to be amended or if they need to be repealed.

**Legislative Authority:**

*Municipal Government Act, Section 168*

**Recommendation:**

Committee of the Whole recommends:

...that Council gives First Reading and proceeds to a Public Hearing for R-004 Second Amendment to the Repeal By-law, as presented to Committee of the Whole on June 25, 2019.

**Background and Discussion:**

Section 168 of the *Municipal Government Act* states the adoption process of a by-law. The process to amend a by-law is to create a new by-law in the same manner stating the amendment.

Council enacts by-laws under the authority of the *Municipal Government Act* to benefit the communities it serves. Over time, Municipal by-laws become outdated due to changes in Provincial legislation, municipal operations and necessity, such is the case in the by-laws recommended in the Second Amendment to the Repeal By-law.

The following by-laws recommended for repeal contain information found in other Municipal by-laws and policies, or Provincial acts and regulations, therefore a separate by-law is not required:

1. Peace and Good Order By-law –only applies to noise created by motor vehicles, which is now addressed by the *Motor Vehicle Act*.
2. Development Officer By-law – the *Municipal Government Act*, Section 243 now mandates Council to appoint a Development Officer to administer the Land Use By-law and Subdivision By-law.
3. Hantsport Moving Buildings on Streets By-law – the Province now requires a permit for overweight or oversized vehicles on public roads. For any moving of buildings on just municipal roads the Municipal Traffic Authority would follow the Provincial regulations.
4. Hantsport Street By-law – the operation, usage and maintenance processes for streets have changed since 1920. The Motor Vehicle Act, Municipal Government Act and Municipal policies and practices now address the various provisions of this By-law.
5. Hantsport Peace, Health and Good Order By-law – is out of date with common practices such as mandating all person under the age of 16 be inside by 9 p.m. Issues such as air guns and destroying cemetery property in the By-law are addressed in other Municipal by-laws.
6. Hantsport Minimum Housing and Maintenance Standard By-law – these minimum standards are addressed under the *Building Code Act*, Building Code Act By-law and the *Municipal Government Act* Part XV Dangerous or Unsightly Premises.
7. Hantsport Building and Grounds Maintenance By-law – the *Municipal Government Act*, Part XV Dangerous or Unsightly Premises now covers these offences in more detail.
8. Hantsport Regional Emergency Management By-law – this By-law is the same as the West Hants Regional Emergency Management By-law, except for the definitions of Council and Councillors. By repealing the Hantsport By-law, the West Hants By-law would be applicable to the community of Hantsport.

The following by-laws are recommended for repeal due to a change in operation or common practices:

1. Municipal Property Trespass By-law – the Municipality no longer controls school properties in West Hants, properties are now administered by the Annapolis Valley Regional Centre for Education (AVRCE). The AVRCE has their own policies and procedures to address trespassing on the property.
2. Hantsport Driving Animals on Streets By-law – this By-law does not define animals and although it is likely referring to livestock, it could apply to the walking of dogs on sidewalk which is acceptable practice if on a leash. Also, Hantsport is no longer a

farming community, and so it is uncommon for anyone to be driving livestock on the road which may wander on to the sidewalk.

3. Hantsport Prevention of Excessive Noise By-law – The current By-law is unenforceable as the Municipality does not have a sound meter to determine noise levels. A revised Noise By-law for the growth areas of Falmouth, Three Mile Plains and Hantsport was recommended to Committee of the Whole in January 2019 to replace the Hantsport By-law so that it was fair to residents in all growth areas, however Committee of the Whole decided not to recommend the By-law to Council.

Other amendments in the Second Amendment to the Repeal By-law include:

1. Adding “and all previous such Police Advisory Board By-laws of the Town of Hantsport;” to section 2.1. t) as recommended by the Province during their review of the First Amendment to the Repeal By-law, because the By-law 2008-2 RCMP Advisory Board By-law dated July 8, 2008 had not been registered with the Province.
2. Replacing Sections 3.1 and 3.2 with an up-to-date list of applicable by-laws.

#### **Financial Implications:**

As with all by-law approvals there will be a small cost incurred for mandatory advertisement of a public hearing and notice of approval. There are no other known financial implications.

#### **Alternatives:**

1. Committee of the Whole could choose to not recommend the By-law to First Reading.
2. Committee of the Whole could choose to instruct other amendments the By-law, and then recommend the By-law go to First Reading.

#### **Attachments:**

1. Draft R-004 Second Amendment to the Repeal By-law
2. Draft consolidated Repeal By-law
3. Peace and Good Order By-law, 1980
4. Development Officer By-law, 1975
5. Municipal Property Trespass By-law, 1972 and 1979 Amendment
6. Hantsport Moving Buildings on Streets By-law, 1920
7. Hantsport Street By-law, 1920
8. Hantsport Driving Animals on Street By-law, 1920
9. Hantsport Peace, Health and Good Order By-law, 1920
10. Hantsport By-law #14 Building and Grounds Maintenance By-law, 1967
11. Hantsport By-law #80 Minimum Housing and Maintenance By-law, 1980
12. Hantsport By-law #101-2 Prevention of Excessive Noise By-law, 2001
13. Hantsport Regional Emergency Management By-law, 2007

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Report Prepared by: \_\_\_\_\_  
Rhonda Brown, Municipal Clerk

Report Reviewed by: \_\_\_\_\_  
Carlee Rochon, Director of Finance

**MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
*Second Amendment to the Repeal By-law*

1. Citation

1.1. This By-law shall be cited as the Second Amendment to the Repeal By-law

2. Amendment

2.1. The Repeal By-law is amended as follows:

1. Striking out the semi-colon at the end of Section 2.1 t) and adding the words "and all previous such Police Advisory Board By-laws of the Town of Hantsport;".
2. Repeal additional by-laws by replacing the period at the end of Section 2.1 mm) with a semi-colon and adding the following:
  - nn) Peace and Good Order By-law dated January 24, 1980;
  - oo) Development Officer By-law dated September 25, 1975;
  - pp) Municipal Property Trespass By-law dated March 10, 1972 as amended as amended to March 16, 1979;
  - qq) Moving Buildings on Streets By-law (former Town of Hantsport) dated February 3, 1920;
  - rr) Streets By-law (former Town of Hantsport) dated February 3, 1920;
  - ss) Driving Animals on Street By-law (former Town of Hantsport) dated February 3, 1920;
  - tt) Peace, Health and Good Order By-law (former Town of Hantsport) dated February 3, 1920 as amended to October 1, 1985;
  - uu) By-law #14 Building and Grounds Maintenance By-law (former Town of Hantsport) dated August 1, 1967;
  - vv) By-law #80 Minimum Housing and Maintenance Standards By-law (former Town of Hantsport) dated August 5, 1980;
  - ww) By-law #101-2 Prevention of Excessive Noise By-law (former Town of Hantsport) dated October 24, 2001;
  - xx) Regional Emergency Management By-law (former Town of Hantsport) dated October 2, 2007.

3. Deleting Section 3.1 and replacing with:

- 3.1 For information purposes the following by-laws of the former Town of Hantsport shall continue in force within the geographic limits of the former Town of Hantsport unless repealed by Council:
  - a) Town of Hantsport Municipal Planning Strategy as amended;
  - b) Town of Hantsport Land Use By-law as amended;
  - c) Town of Hantsport Subdivision By-law as amended;
  - d) Barb Wire Fences By-law dated February 3, 1920;
  - e) #1-93 Fires and Burning Materials By-law dated October 5, 1993;



- f) By-law 2008-6 Respecting the Enclosure of and Access to Swimming Pools;
- g) By-law 2008-1 Respecting the Discharge and Carrying of Air Guns dated July 8, 2008;
- h) By-law #62 Protection from Second-Hand Smoke By-law dated November 5, 2013.

4. Deleting Section 3.2 and replacing with:

3.2 For greater certainty, all by-laws of the Municipality of the District of West Hants apply within the geographic limits of the former Town of Hantsport except for:

- a) Municipality of the District of West Hants Planning Strategy as amended;
- b) Municipality of the District of West Hants Land Use By-law as amended;
- c) Municipality of the District of West Hants Subdivision By-law as amended;
- d) Fire Protection By-law dated September 14, 2004.

I, (*Municipal Clerk Name*), Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the \_\_\_\_ day of \_\_\_\_ (month), \_\_\_\_ (year).

(Signature of Municipal Clerk)  
(Typed name of Municipal Clerk)

By-Law Adoption	
First Reading:	Date
Notice Published:	Date
Second Reading & Approval	Date
Final Publication	Date
Notice to Municipal Affairs	Date
Description:	

**MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
*A By-law Respecting the Repeal of Various By-laws (Consolidated)*

**1. Short Title**

- 1.1 This By-law shall be known as A By-law Respecting the Repeal of Various By-laws and shall be cited as the "Repeal By-law".

**2. Repeal of By-Laws**

- 2.1 The following by-laws are hereby repealed:
- a) Assessment Act By-law dated June 7, 1965;
  - b) Auctioneers By-law dated January 12, 1982;
  - c) Chief Administrative Officer By-law dated July 8, 2003;
  - d) Live Stock at Large By-law dated January 9, 1996;
  - e) Meeting By-law (former Town of Hantsport) dated February 3, 1920 and amendments January 23, 1973 and December 8, 1991;
  - f) Committee By-law (former Town of Hantsport) dated February 3, 1920;
  - g) Clerk By-law (former Town of Hantsport) dated February 3, 1920;
  - h) Officers By-law (former Town of Hantsport) dated February 3, 1920;
  - i) Automatic Machines By-law (former Town of Hantsport) dated August 3, 1948;
  - j) Building By-law (former Town of Hantsport) dated May 1, 1945;
  - k) Polls By-law (former Town of Hantsport) dated December 2, 1958;
  - l) By-law #16 Pedlars, Auctioneers By-law (former Town of Hantsport) dated November 28, 1967;
  - m) By-law #30 Destruction of Documents By-law (former Town of Hantsport) dated January 14, 1972;
  - n) Building By-law 1975 N.B.C. (former Town of Hantsport) dated September 23, 1976;
  - o) By-law #74 Elections Deposit By-law (former Town of Hantsport) dated July 3, 1979;
  - p) By-law #1087, Tree Committee By-law (former Town of Hantsport) dated February 3, 1987;
  - q) By-law #1009 Building By-law (former Town of Hantsport) dated June 2, 1987;
  - r) By-law #1-97 Heritage By-law (former Town of Hantsport) dated May 6, 1997;
  - s) By-law 2008-2 Chief Administrative Officer By-law (former Town of Hantsport) dated July 8, 2008;
  - t) By-law 2008-4 RCMP Advisory Board By-law (former Town of Hantsport) dated April 1, 2008 and all previous such Police Advisory Board By-laws of the Town of Hantsport;
  - u) Sewer By-law (former Town of Hantsport) dated February 3, 1920 as amended July 29, 1921;



- v) Horses, etc. Going at Large By-law (former Town of Hantsport) dated February 3, 1920;
- w) Pounds and Pound Keepers By-law (former Town of Hantsport) dated February 3, 1920;
- x) Lock-up By-law (former Town of Hantsport) dated February 3, 1920;
- y) Town Meetings By-law (former Town of Hantsport) dated February 3, 1920;
- z) Nuisances By-law (former Town of Hantsport) dated February 3, 1920;
- aa) Fire Prevention By-law (former Town of Hantsport) dated February 3, 1920;
- bb) Miscellaneous By-law (former Town of Hantsport) dated February 3, 1920;
- cc) Water Works By-law (former Town of Hantsport) dated February 3, 1920;
- dd) Sewer Rates By-law (former Town of Hantsport) dated June 15, 1963;
- ee) By-law #19 Anti-litter By-law (former Town of Hantsport) dated November 7, 1969;
- ff) By-law #22 Bonus Act (Minas Basin Lumber Company) By-law (former Town of Hantsport) dated December 1, 1970;
- gg) By-law #63 Street Closing By-law (former Town of Hantsport) dated December 10, 1975;
- hh) By-law #73 Pension By-law (former Town of Hantsport) dated June 5, 1979;
- ii) By-law #1108 Improvement Charges By-law (former Town of Hantsport) dated July 7, 1987;
- jj) By-law #1239 Hantsport Water Capital Rate By-law (former Town of Hantsport) dated July 7, 1987 as amended February 19, 1988;
- kk) By-law #101-3 Taxi By-law (former Town of Hantsport) dated October 24, 2001;
- ll) Tax Exemption By-law dated April 11, 2000 and any amendments thereto;
- mm) Tax Exemption Under Water Utilities By-Law dated August 10, 1982;
- nn) Peace and Good Order By-law dated January 24, 1980;
- oo) Development Officer By-law dated September 25, 1975;
- pp) Municipal Property Trespass By-law dated March 10, 1972 as amended as amended to March 16, 1979;
- qq) Moving Buildings on Streets By-law (former Town of Hantsport) dated February 3, 1920;
- rr) Streets By-law (former Town of Hantsport) dated February 3, 1920;
- ss) Driving Animals on Street By-law (former Town of Hantsport) dated February 3, 1920;
- tt) Peace, Health and Good Order By-law (former Town of Hantsport) dated February 3, 1920 as amended to October 1, 1985;
- uu) By-law #14 Building and Grounds Maintenance By-law (former Town of Hantsport) dated August 1, 1967;
- vv) By-law #80 Minimum Housing and Maintenance Standards By-law (former Town of Hantsport) dated August 5, 1980;
- ww) By-law #101-2 Prevention of Excessive Noise By-law (former Town of Hantsport) dated October 24, 2001;



- xx) Regional Emergency Management By-law (former Town of Hantsport) dated October 2, 2007.

### 3. Continuation in Force of Other By-laws and applicability of West Hants By-laws to Hantsport

- 3.1 For information purposes the following by-laws of the former Town of Hantsport shall continue in force within the geographic limits of the former Town of Hantsport unless repealed by Council:
- a) Town of Hantsport Municipal Planning Strategy as amended;
  - b) Town of Hantsport Land Use By-law as amended;
  - c) Town of Hantsport Subdivision By-law as amended;
  - d) Barbed Wire Fences By-law dated February 3, 1920;
  - e) #1-93 Fires and Burning Materials By-law dated October 5, 1993;
  - f) By-law 2008-6 Respecting the Enclosure of and Access to Swimming Pools;
  - g) By-law 2008-1 Respecting the Discharge and Carrying of Air Guns dated July 8, 2008;
  - h) By-law #62 Protection from Second-Hand Smoke By-law dated November 5, 2013.
- 3.2 For greater certainty, all by-laws of the Municipality of the District of West Hants apply within the geographic limits of the former Town of Hantsport except for:
- a) Municipality of the District of West Hants Planning Strategy as amended;
  - b) Municipality of the District of West Hants Land Use By-law as amended;
  - c) Municipality of the District of West Hants Subdivision By-law as amended;
  - d) Fire Protection By-law dated September 14, 2004.

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the **12** day of **January, 2016**.

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R.N. Brown  
Municipal Clerk



<b>By-Law Adoption</b>	
First Reading:	December 8, 2015
Notice Published:	December 24, 2016
Second Reading & Approval	January 12, 2016
Final Publication	June 20, 2016; July 11, 2016
Notice to Municipal Affairs	January 13, 2016
Description: Passing of Original By-law.	
<b>First Amendment</b>	
First Reading:	September 13, 2016
Notice Published:	September 26, 2016
Second Reading & Approval	October 11, 2016
Final Publication	March 20, 2017
Notice to Municipal Affairs	October 18, 2016
Description: R-003 First Amendment to the Repeal By-law amended this By-law by adding repealed by-laws listed as items u-jj in Section 2.1 and removing items h-k, m-r, t-w, y, z, cc and kk of Section 3.1. Also removing items e and h of Section 3.2 of the By-law.	
<b>Second Amendment</b>	
First Reading:	
Notice Published:	
Second Reading & Approval	
Final Publication	
Notice to Municipal Affairs	
Description: R-004 Second Amendment to the Repeal By-law amended this By-law by adding repealed by-laws listed as items nn) to y) in Section 2.1, added "and all previous by-laws" to Section 2.1 t) and updated the list of applicable by-laws in Sections 3.1 and 3.2.	

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

BE IT RESOLVED THAT THE FOLLOWING BE AND THE SAME IS HEREBY ADOPTED AND ENACTED AS A BY-LAW OF THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS WHEN AND IF THE SAME HAS RECEIVED THE APPROVAL OF THE MINISTER OF MUNICIPAL AFFAIRS, AND THAT THE MUNICIPAL CLERK BE AND HE IS HEREBY INSTRUCTED TO FORWARD THE SAME TO THE MINISTER AND REQUEST HIS APPROVAL HEREOF.

MUNICIPALITY OF THE DISTRICT OF WEST HANTS  
PEACE AND GOOD ORDER BY-LAW

1. No person shall make any unnecessary noise or disturbance by means of the operation of a motor vehicle.
2. Any person who fails to comply with the provision of this By-Law shall be liable upon conviction to a penalty of not less than Twenty-Five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00), and in default of payment to imprisonment for a term not exceeding thirty (30) days.

THIS IS TO CERTIFY that the By-Law of which the foregoing is a true copy was duly passed at a duly called meeting of the Municipal Council of the Municipality of the District of West Hants duly held on the 8th day of January, A.D., 1980.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the Municipality of the District of West Hants this 24th day of January A.D., 1980.

.....  
MUNICIPAL CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>J. Robertson</i>	
Departmental Solicitor	
APPROVED this <i>30<sup>th</sup></i> day	
of <i>January</i> 1980.	
<i>J. ...</i>	
Minister of Municipal Affairs	

RESOLVED BY THE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS THAT THE FOLLOWING RESOLUTION BE AND THE SAME IS HEREBY ENACTED AND THAT THE CLERK BE AND IS HEREBY INSTRUCTED TO FORWARD SAME TO THE MINISTER OF MUNICIPAL AFFAIRS WITH A REQUEST FOR HIS APPROVAL HEREOF.

DEVELOPMENT OFFICER

THAT that powers and duties of the Council under Part IX, Subdivisions, of Chapter 16 of the Statutes of Nova Scotia, 1969, the Planning Act, except the power to adopt, amend, revise or repeal a subdivision by-law and the powers vested in the council under subsection (3) of Section 50 of said Planning Act, shall be delegated by the Council to the development officer of the District Planning Commission or, if there is no Commission then to the development officer of the Municipality.

RESOLVED THAT the Municipal Council of the Municipality of the District of West Hants shall appoint a development officer for the District of West Hants who shall administer the zoning by-law and grant development permits under the by-law.

THIS IS TO CERTIFY that the resolution of which the foregoing is a true copy was duly passed at a duly called meeting of the Municipal Council of the Municipality of the District of West Hants duly held on the 9th day of September, A. D. 1975.

GIVEN under the hands of the Warden and Municipal Clerk and under the corporate seal of the said Municipality of the District of West Hants this 25th day of September, A. D. 1975.

*Stanley Sanford*  
.....  
WARDEN

*Ray W. Kelly*  
.....  
MUNICIPAL CLERK

## **MUNICIPAL PROPERTY TRESPASS BY-LAW**

Pursuant to Section 191 (6) of the Municipal Act the Council. of the Municipality of the District of West Hants by resolution enacts the following By--Law to be known as the MUNICIPAL PROPERTY TRESPASS BY-LAW.

1. In this By-Law

(a) "property of the Municipality" means lands and buildings at which there is situated a school operated by the West Hants Municipal School Board and includes parks playgrounds parking areas and out-buildings in connection therewith:

(b) "a person in charge of property of the Municipality" means a school supervisor, acting supervisor, principal, acting principal, administrator, acting administrator, secretary treasurer of the West Hants Municipal School Board, or Clerk or Deputy Clerk of the Municipality.

2.

(1) No person shall enter or remain upon the property of the Municipality.

(2) Sub-section (1) does not apply to any person who enters or remains upon the property of the Municipality

(a) for the purpose of attending school as a pupil;

(b) for the purpose of transporting persons who are attending school as pupils;

(c) for the purpose of doing business for or with the West Hants Municipal School Board or its employees;

(d) for the purpose of doing usiness for or with the Municipality or its employees;

(e) for the purpose of attend ng an authorized function held at the property of the Municipality; or

(f) pursuant to any Act of th Parliament of Canada or the Legislature of Nova Scotia and Regulations made thereunder.

3. No person shall leave animals or vehicles either attended or unattended in or upon any property of the Municipality without the written permission of a person in charge of the property of the Municipality first had and obtained

4. Any person who violates a provision of this By-Law shall be guilty of an offence against this By Law and shall be liable to a penalty not exceeding One Hundred Dollars, exclusive of costs and in default of payment be imprisoned for a period not exceeding one month.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Municipal Council of the Municipality of the District

of West Hants duly held on the 10th day of MARCH, A.D.,1972.

GIVEN under the hand of the Municipal Clerk and under the Corporate,of the said Municipality the 20th day of March A. D. ,1972.

[Original signed by]  
R.W.Haley -Municipal Clerk

WEST HANTS MUNICIPAL COUNCIL

Annual Session  
March 16, 1979

West Hants Municipal Council reconvened for its Annual Session on Friday, March 16, 1979 at 10:00 a.m. at the Hants County Court House, Windsor, Nova Scotia with Warden Stanton Sanford presiding.

Roll Call

The Municipal Clerk called the Roll. All Councillors were present except Councillors Vincent Burgess, Garth Hazel, Ralph Zwicker, Laurence Brown and Dominique Henry.

Councillor Dominique Henry arrived at 10:01 a.m.  
Councillor Vincent Burgess arrived at 10:05 a.m.  
Councillor Garth Hazel arrived at 10:17 a.m.  
Councillor Laurence Brown arrived at 10:17 a.m.

Minutes - March 9, 1979

The Municipal Clerk read the Minutes of March 9, 1979.

Corrections:- Page 7 under heading Law Amendments Committee, fifth line should read "Law Amendments Committee" instead of "By-Law Committee."

Page 1 - under heading Law Amendments Committee, second line it should read "two properties" instead of "two houses".

Page 3 - Under heading Water & Sewer Extension Three Mile Plains second motion, second line, should read "lines" instead of "line".

ON MOTION of Councillors Vincent Burgess and Bruce Saunders it was MOVED Minutes of March 9, 1979 be approved with corrections noted. MOTION CARRIED.

Business Arising From The Minutes

Windsor-West Hants Industrial Park

Municipal Clerk read letter dated March 14, 1979 from Mr. Roland Thornhill, Minister, Department of Development, advising that construction of a portion of this project will take place this year.

ON MOTION of Councillors Harold Wile and Donald Brown it was MOVED letter be received from Minister of Development. MOTION CARRIED.

Clerk read letter addressed to Warden Stanton Sanford, dated March 15, 1979 from Mr. Ronald Russell, M.L.A. advising that development is expected to be proceeded with during fiscal 1979. Letter also enclosed copy of letter and report which was forwarded to Mr. Clarence Ivey.

ON MOTION of Councillors Harold Wile and Lawrence Brown it was MOVED that the letter be received from Mr. Ronald Russell, M.L.A. MOTION CARRIED.

Financial Statement

Councillor Vincent Burgess asked if Council would like our Auditors to be present at Council this afternoon to deal with Financial Statement. Councillor Burgess said he would ask the Auditors to be present at 2:00 p.m.

Law Amendments Committee

Notice of Motion Re:Municipal Property Trespass By-Law, The Assessment Act, Dangerous or Unightly Premises and Municipal Land Transfer Tax By-Law - March 9, 1979

Municipal Property Trespass By-Law

1. Section 4 of the Municipal Property Trespass By-Law passed by the Municipal Council of the Municipality of the District of West Hants on the 10th day of March, A.D., 1972 and approved by the Minister of Municipal Affairs on the 8th day of March, A.D., 1972 be and is hereby

repealed and the following is substituted therefor:

4. Any person who violates a provision of this by-law shall be guilty of an offence against this by-law and shall be liable to a penalty of not less than Twenty-five Dollars and not more than Two Hundred and Fifty Dollars and in default of payment to imprisonment for a period not exceeding one month.

ON MOTION of Councillors Dominique Henry and Bruce Saunders it was MOVED this be adopted and forwarded to Department of Municipal Affairs. MOTION CARRIED.

The Assessment Act

An Act to Amend Chapter 15 of The Revised Statutes, 1954, The Assessment Act (annexed)

1. The by-law of the Municipal Council of the Municipality of the District of West Hants entitled "An Act To Amend Chapter 15 of the Revised Statutes, 1954, The Assessment Act", passed by the said Municipal Council on the 7th day of June, A.D., 1965 and approved by the Minister of Municipal Affairs on the 7th day of July, A.D., 1965 be and is hereby repealed.

ON MOTION of Councillors Dominique Henry and Vincent Burgess it was MOVED this be adopted and forwarded to Department of Municipal Affairs. MOTION CARRIED.

Dangerous or Unsightly Premises (annexed)

ON MOTION of Councillors Dominique Henry and Vincent Burgess it was MOVED:

1. The Dangerous or Unsightly Premises By-law of the Municipality of the District of West Hants passed by the Municipal Council of the Municipality of the District of West Hants on the 25th day of January, A.D., 1966 and approved by the Minister of Municipal Affairs on the 7th day of May, A.D., 1966 be and is hereby repealed.
2. Section 204 of the Municipal Act, Revised Statutes of Nova Scotia, 1967, Chapter 192, and amendments thereto shall apply to the Municipality of the District of West Hants.

MOTION CARRIED.

Municipal Land Transfer Tax By-Law (annexed)

ON MOTION of Councillors Dominique Henry and Donald Brown it was MOVED:

Section 3 to Section 15 inclusive, Schedule A and Schedule B of the Municipal Land Transfer Tax By-Law is hereby repealed. MOTION CARRIED.

Wentworth Road - Water

Councillor Lawrence Brown asked if there had been any action taken on the water situation in Wentworth Road area.

The Municipal Clerk read letter dated March 15, 1979 from the Board of Commissioners of Public Utilities re Councillor MacKay's discussion with the Board Members on the feasibility of acquiring the 4 inch cast iron main from the Town of Windsor to the Fundy Gypsum Company which extends a distance of .9 miles.

ON MOTION of Councillors Lawrence Brown and Donald Brown it was MOVED letter be received for discussion. MOTION CARRIED.

Councillor Raymond McKay said his reason for approaching the Board individually on this was to get direct instructions of how to proceed with the matter. Councillor McKay said the next step is to call a Committee Meeting and have Solicitor present and get appointment with the Department of Municipal Affairs to see if there is money available to install a new line.

Councillor Lawrence Brown said there is no mention of fire hydrants in the letter and would like it in writing that the Board of Public Utilities



## Town of Hantsport

# Moving Buildings on Streets By-law (1920)

Section 71 of the By-law and Ordinances of the Town of Hantsport, Hants County, Nova Scotia.

Any person desiring to move a building over or along a public street in the Town, shall, before commencing to move the building, make application to the Town Council by Petition, wherein shall be fully set out the place from and to which and the parts of the public streets over which he desires to move the building, and the estimated number of days it will take to move the same. The Town Council may thereupon, in their discretion, grant permission to move the said building over the public streets.

72. If the Council decides to grant permission to move the building over any of the streets of the Town, the person applying for permission shall, before permission is given make and file in the Town Clerk's office a bond in such form as may be approved by the Mayor with 2 (two) sureties to be approved by the Council or Committee on Streets, in a sum to be set by the Council not less than \$200 (two hundred dollars) conditioned that the said person will move the said building over the said streets within the times mentioned in his application that in moving the same he will not do any damage or injury to any person, or to any private property, in or by reason of moving the said building, and will pay all damages done to or suffered by any person in or by reason of the moving of said building, and will pay all damages done to or suffered by any person in or by reason of the moving of the said building, and will indemnify the said Town and the Mayor and Councillors and the Officers thereof, from and against any and all loss, damages, costs and charges by reason of the moving of the said building, and that he will do and perform such other acts, matters and things as the Council shall stipulate he shall do in moving the said building.

73. The applicant for the said permission shall pay for the privilege of moving the said building over the said streets such sum as the Council shall set, not less than \$3.00 (three dollars) and not more than \$5.00 (five dollars) per day for each and every day the buildings shall be on the said streets and shall before getting the Permit, pay the same to the Town Clerk, for the estimated number of days it will take to move the building.

74. If it takes longer than the estimated number of days to move the building, the Council or Committee on Streets may extend the time for moving the building on the applicant paying to the Town Clerk, a further sum equal to the fees payable for the additional days which it is estimated it will take to complete the moving of the said building. If the building shall remain on the streets for a greater number of days than that for which the Permit was granted or extended, the applicant will be considered as having moved the building without permission on the said day or days beyond the days for which the Permit was originally granted or extended and shall be liable to the penalty provided for a breach of the by-laws in Section 182 of the Town's Incorporation Act, Chapter 4 of the Acts of 1918.



**Town of Hantsport**

**Moving Buildings on Streets  
By-law (1920)**

75. Any such Permit granted by the Council or Committee shall not authorize the grantee of the privilege to interfere with any electric light, telegraph, telephone or other wire or pole, or with any other private property. If it is necessary in order to move the said building, to cut or interfere with any such wire or pole, or with any private property, the grantee of the privilege shall make arrangements with and obtain permission from the Town Council or person owning or possessing the same, to do so before proceeding to move the building.

76. The Town shall not in any way be liable for any injury or damage done to any person or property by the grantee of the said privilege in moving the said building.

77. The Council may make such regulations as the Council deems necessary for the protection of the citizens and inhabitants of the Town and person using the streets and for the protection of private property, and of the streets from injury or damage in the moving of the building and the person moving the building shall comply therewith.

Passed by the Town Council of the Town of Hantsport on the 3<sup>rd</sup> day of February, 1920.

Approved by the Minister of Municipal Affairs on the 22<sup>nd</sup> day of October, 1920.



## Town of Hantsport

# Streets By-law (1920)

Section 52 of the By-laws and Ordinances of the Town of Hantsport, Hants County, Nova Scotia

It shall be the duty of the Superintendent of Streets under the direction and control of the Committee on Streets and Sewers to attend to the laying out, widening, elevations and repairs of the streets of the Towns, the sweeping, cleaning and watering of the same, cleaning away the snow, and other like duties, and the making, repairing and improving of the bridges, drains, sewers, pavements and sidewalks within the same, and to give notice to the Mayor or Chairman of the Streets Committee, of any nuisance, obstruction or encroachments thereon or of any injury thereto, or of any breach of the laws, or of the by-laws relating thereto, and to do all such other acts and things as shall be required of him by law, or by the by-laws of the Town, or may be ordered by the Town Council, or Committee on Streets.

53. The Superintendent shall keep such accounts of his proceedings as shall be ordered by the Council or Committee on Streets and furnish accounts properly vouched, whenever required to do so by the Council or Committee on Streets.

54. The Council shall have power at any time to enter into a contract with any person or persons to keep the streets of the Town, or any portion or part of them in good order and repair, or put that service up to public competition. No such contract or letting shall be for a period of over one year, and the contractor, whether by private agreement, or public competition, may be required to give bonds, with good and sufficient sureties, in such sum as the Council may name, for the faithful performance of the work.

55. The Council may, from time to time, in their discretion, pay the contractor such proportionate part of the contract price as they may deem just and prudent; but no money shall be paid except on a certificate of the amount of work done, and that the same has been well and faithfully performed, signed by the Superintendent and countersigned by the Chairman or 2 (two) members of the Committee on Streets.

56. The Town Council may contract at any time with any person, company or corporation for the efficient lighting of the public streets, lanes, highways, thoroughfares and other public places in the Town. The Terms of every such contract shall be arranged on behalf of the Town by the Committee on Streets and Sewers, subject to the approval of the Council.

57. When the street is opened up or obstructed for the purpose of repairing the same, or the making or repairing of any sewer, or of laying or repairing the water pipers therein, or for any other purpose, the Superintendent of Streets shall put up bars and fences to protect the same, or he may close up the street while the repairs are being carried on, and at nights, he shall put lights up to warn citizens and persons using the street of the dangerous state of the street.



## Town of Hantsport

# Streets By-law (1920)

58. In making, altering, repairing or improving the streets, roads or sewers or the water works of the Town, the Superintendent of Streets may make, open or lay new, or raise, sink or alter, or cut off and stop up, old drains, watercourses, pipes, trunks and sewers, and may change or cause to be changed, the course of gutters, watercourses and channels running, in, through or under the streets.

59. No gate shall open or swing outwardly across a sidewalk or any part thereof. In any case, where a gate is so hung, or constructed that it violates this by-law, the owner or occupier of the premises in which the gate is so hung, shall remove the same, or cause it to be hung so as to swing inwardly; and in case of refusal or neglect to remove the same, or to prevent it from swinging outwardly on or across the sidewalk, the owner or occupier of the premises shall be guilty of a breach of this by-law and be liable to the penalty provided for a breach of these by-laws, for each day he allows the same to remain in that way.

60. No person shall drive a truck, sled, carriage or other vehicle used for conveying goods or other heavy articles, faster than at a slow or easy trot, on or over any street of the Town, nor unless he lead his horse or guide him with proper reins.

61. No team shall be left unattended in any of the streets of the Town, unless properly hitched and secured. Teams, carriages, automobiles and other vehicles standing on the streets of the Town, shall be in line with and close to the edge or curbing of the sidewalk, so as to obstruct the street as little as possible.

62. The owners or occupiers of buildings along the line of sidewalks shall not allow the water from the eaves of said buildings to fall upon the sidewalk, but shall conduct the water away from or under the sidewalk; and no person shall allow snow or icicles to accumulate or be on any building owned or occupied by him along or close to the side of the sidewalk, in such position that the same are liable to fall upon persons using the sidewalk.

63. All ornamental trees within the limits of any of the streets within the Town of Hantsport shall be under the care and custody of the Superintendent of Streets. No person shall break, bark, remove, root up, or otherwise cut, destroy or damage the whole or any part of any tree, sapling or shrub planted for ornament or left growing in any street or highway or in any public square or park of the Town without the permission of the Committee on Streets.

64. No person shall post, stick, stamp, paint or otherwise affix or cause to be posted, stuck, stamped, painted or otherwise affixed, any bill, poster, notice or advertisement on any property of the Town, nor on any tree within the limits of any of the streets, squares or parks of the town without the permission of the Committee on Streets.

65. No person shall erect, build, put up or place, or permit or suffer to remain on or over any sidewalk or street, in front of the premises owned or occupied by him, or for which he is agent in the



## Town of Hantsport

# Streets By-law (1920)

Town of Hantsport, any awning, sign-post or sign-board, or other sign or thing of any kind without the permission of the Committee of Streets. The Council may revoke such permission, and may order any awning, sign-post or sign-board, or other sign or thing now erected or being, or which may hereafter be erected or placed on or over any street or sidewalk in the Town to be taken down and removed by the owner, occupier or agent of the premises and the owner or occupier or agent of the premises and the owner or occupier of any premises before which the same is erected, or placed, refusing or neglecting to take down and remove the same within 10 (ten) days after receiving such notice shall be deemed to be guilty of a breach of this by-law.

Passed by the Town Council of the Town of Hantsport on the 3<sup>rd</sup> day of February, 1920.

Approved by the Minister of Municipal Affairs on the 22<sup>nd</sup> day of October, 1920.



**Town of Hantsport**

## **Driving Animals on Streets By-law (1920)**

Section 70 of the By-law and Ordinances of the Town of Hantsport, Hants County, Nova Scotia.

No person shall lead or drive any animal or allow any animal being lead or driven along or through any street of the Town to wander or stray on, over or along any sidewalk thereon. All animals being driven along or through any street shall be properly and sufficiently attended by drivers so as to prevent the straying of the same and of preventing them from injuring or frightening persons on the said streets.

Passed by the Town Council of the Town of Hantsport on the 3<sup>rd</sup> day of February, 1920.

Approved by the Minister of Municipal Affairs on the 22<sup>nd</sup> day of October, 1920.



Town of Hantsport

## Peace, Health and Good Order By-law (1920)

Section 113 of the By-law and Ordinances of the Town of Hantsport, Hants County, Nova Scotia.

No person shall within the Town of Hantsport use any profane, obscene, lewd or lascivious language, nor be guilty of any lewd or lascivious conduct or behavior, nor challenge any one to fight, nor use abusive or provoking language, taunting epithets or threatening gestures to any other person, nor sing, swear, shout, or make any unusual noise, nor make any unnecessary noise or disturbance by means of the operation of a motor vehicle, nor create any disturbance, nor be guilty of disorderly conduct on any street, lane, thoroughfare, sidewalk, bridge or wharf, or at the railway station, or in any public place, or at any public gathering or meeting, or in any shop, store, house or building, or in any other place, nor obstruct any other person in any dwelling house or other building, or while proceeding on his lawful business, nor be on any street, lane, thoroughfare, sidewalk, bridge or wharf, or at the railway station, or in any public place, or at any public gathering or meeting, in a drunken or intoxicated condition, nor act thereon or threat in a drunken or intoxicated manner. Any person who commits any offence against this by-law, shall, on conviction thereof, be liable to a fine not less than \$25.00 (twenty-five dollars) and not more than \$200.00 (two hundred dollars), and on non-payment thereof, to imprisonment for a term not exceeding 20 (twenty) days.

114. Any person who commits any of the said offences in this section mentioned, may forthwith be taken into custody by any policeman or constable, or by the Mayor, Stipendiary Magistrate or any Councillor, or by any person on the verbal order of the Mayor, Stipendiary Magistrate or a Councillor, and taken to the lock-up or jail, and there detained until brought before the Stipendiary Magistrate, or person presiding at the police office.

115. No person shall without due regard to the safety of others discharge any air rifle, air gun or sling shot in or near any public place or way, or in or near any dwelling, store or other building (Amendment #3, approved by Minister of Municipal Affairs on the 8<sup>th</sup> day of November, 1985).

116. No person shall loiter in or around the entrance or steps of any church, place of worship, hall, public building, store, shop or dwelling in the Town, or in or near any of the streets or lanes, or in any public place in the Town.

117. No person, who is not a dweller therein, or an inmate thereof, shall refuse or neglect, without lawful excuse to withdraw from a private house or dwelling in which he may be, after being requested so to do by the owner of person having the control or management thereof, nor remain in the said dwelling house after such request, to the annoyance of any dweller therein or inmate thereof, or contrary to the wishes of the owner or master or mistress or person having control or management thereof.



**Town of Hantsport**

**Peace, Health and Good  
Order By-law (1920)**

118. No person shall, without lawful authority, wantonly or wilfully meddle or interfere with, or desecrate, disfigure, destroy, damage or injure any gravestone, tomb or vault or any railing curbing, lot or plot for the burying of the dead, in any cemetery or burial ground in the Town of Hantsport, nor pluck, take away, destroy or damage any flower, plant or shrub of any kind growing, placed or being upon or around any grave, tomb or vault, or in any lot in any such cemetery or burial ground.

119. No person shall on any street, or in any public place in the Town, or in any place in the Town after having been requested by the Mayor, Stipendiary Magistrate or a Councillor, or by a policeman or constable to desist therefrom, ring a bell, beat a drum, blow a horn or trumpet, clang a cymbal or triangle, or play on any musical instrument, sing, shout, or make any loud bawling or unusual noise calculated to annoy or disturb any of the inhabitants of or persons in the Town.

120. No person shall wantonly, wilfully or unnecessarily disturb the good order, peace and harmony of any public meeting being held in the Town, whether such person be one of the meeting or not.

121. No person shall wantonly, wilfully or unnecessarily ring the fire alarm of the Town.

122. No person shall wantonly, wilfully or unnecessarily knock or pound on any door, nor ring any door bell in the Town.

123. No person shall encourage dogs to fight in any public streets, or in any public place in the Town.

124. No person shall swim or bathe in the water of the river near to any open wharf, slip or dock, or near to any street or road in the Town, or in such situation as to be indecently exposed to the view of spectators.

125. No person shall throw over any wharf in the Town, any stone or substance whatever, calculated to injure vessels or boats lying, or which may lie at the wharves, or to injure the berths for vessels or boats at such wharves.

126. No person shall throw any fire-ball, squib, firecracker or fire-work into or near to any street, highway, thoroughfare, passage, public square or other public place, or into or near to any building, or at or near to any person.

127. No person shall make any bonfire, nor burn rubbish or other combustible material on or near to any street or in any public place, or within 100 (one hundred) yards of any building in the Town, without the permission of the Mayor or Police Committee.



Town of Hantsport

## Peace, Health and Good Order By-law (1920)

128. No person shall make any bonfire, nor burn rubbish or other combustible material on or near to any street, or in any public place, or within 100 (one hundred) yards of any building in the Town, without the permission of the Mayor or Police Committee.

129. No person under the age of 16 (sixteen) years, shall smoke tobacco in any form, in any public street of, or in any public place in the Town.

130. No person shall make, publish, post up or exhibit any indecent or immoral placard, picture, drawing, writing or printing in or near any street, lane, highway, bridge or wharf or in any public place in the Town.

131. Any person under the age of 16 (sixteen) years who habitually walks, loafs, or is on the streets, or in public places in the Town after Nine o'clock at night between the first day of May and the thirty-first day of October, both inclusive, and after Eight o'clock at night between the first day of November and the thirtieth day of April, both inclusive, or who, after being notified by the Mayor or the Councillor, policeman or constable, not to walk, loaf, or be on the streets of, or in public places in the said Town, after the said hour at night, walks, loafs, or is found on any such street, or in any public place in the Town, after the said hour at night, unless attended by one of his parents, or a guardian, or the person usually having the care or custody of the said person, shall, on conviction thereof, be liable to a penalty not exceeding \$5 (five dollars) and on non-payment thereof, to imprisonment for a period not exceeding 20 (twenty) days.

132. Any such person under or apparently under the age of 16 (sixteen) years, found offending against the foregoing section of these by-laws may be forthwith taken into custody by any policeman or constable, or by any other person on the verbal order of the Mayor or a Councillor or Stipendiary Magistrate, and lodged in the lock-up or police office, or detained in the custody of the policeman, constable or person making the arrest until brought before the Stipendiary Magistrate or person presiding at the police office.

133. Any person, guardian or other person having the custody or care of any such person, who, after being notified that such person is in the habit of walking, loafing or being on the streets of, or in public places in the Town after the hour at night mentioned, neglects or refuses to keep the said person from walking, loafing or being on the streets of, or in public places in the Town after said hour at night shall, on conviction thereof, be liable to penalty not exceeding \$5 (five dollars), and on non-payment thereof, to imprisonment for a period not exceeding 20 (twenty) days.

Passed by the Town Council of the Town of Hantsport on the 3<sup>rd</sup> day of February, 1920.

Approved by the Lieutenant Governor of Nova Scotia on the 22<sup>nd</sup> day of October, 1920.

APPENDIX "C"

**RESOLVED** by the Town Council of the Town of Hantsport that the following amendment be and the same is hereby enacted and that the Clerk be and is hereby instructed to forward same to the Minister of Municipal Affairs with a request for his approval hereof.

AMENDMENT #3

RESOLVED that Section 115 of the By-Laws and Ordinances of the Town of Hantsport, Nova Scotia, as made and passed by the Town Council on February 3rd, 1920 and approved by the Lieutenant Governor of Nova Scotia on October 22nd, 1920 be amended by adding the following words after the word "Town".

"No person shall without due regard to the safety of others discharge any air rifle, air gun or sling shot in or near any public place or way, or in or near any dwelling, store or other building."

I, Joseph D. McGinn, Town Clerk of the Town of Hantsport do hereby certify that the above is a true copy of a resolution duly passed by the Town Council of the Town of Hantsport at a meeting duly held on the 1st day of October 1985.

Dated at Hantsport in the County of Hants this 21st day of October 1985..

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>J. Robertson</i>	
Departmental Solicitor	
APPROVED this <u>8th</u> day	of <u>November</u> 19 <u>85</u>
<i>[Signature]</i>	
Minister of Municipal Affairs	

*[Signature]*  
Joseph D. McGinn  
Town Clerk & Treasurer



**Town of Hantsport  
By-law #14**

## **Building and Grounds Maintenance By-law**

That the provisions of Section 243A Subsections 2, 3, 4 and 5 as enacted by Chapter 52 of the Acts of 1957, Towns Incorporations Act, apply to the Town of Hantsport and be part of the by-laws thereof which said by-law shall be as follows:

**243A:**

- 2) No person shall:
  - (a) permit a building, fence, wharf, wall or other structure owned or occupied by him and being within an area mentioned in any such by-law, to be or to become partly , demolished, decayed or deteriorated so as to be dangerous, unsightly, offensive or unhealthful; or
  - (b) permit to remain on any land owned or occupied by him and being in any such area any ashes, junk, rubbish, refuse, cleaning of yards, bodies, or parts of automobiles or other vehicles or machinery, or any other things, so as to be dangerous, unsightly, unhealthful or offensive.
- 3) Should a condition described in subsection (2) arise or exist, whether it arose before or after the passing of this Act or of the by-law, the council may instruct the clerk to serve notice on the owner or occupier requiring him to remedy the condition described in the notice; such notice may be served by being posted in a conspicuous place upon the building, fence, wharf, wall, structure or land or may be personally served upon the person named therein.
- 4) In event of the failure of the person so served with notice, to remedy the condition described in the notice within 30 (thirty) days after service, any person authorised by the council may enter upon the land upon which the condition exists, without writ, warrant or other legal process and remedy the condition which the Council has required to be remedied; and the actual cost of so doing may be recovered as a debt from the person so served, by action brought by the Clerk in the name of the town in any court of competent jurisdiction within 60 (sixty) days after the cost is incurred.
- 5) After notice has been served under subsection (3) any person who permits or causes a condition referred to in this Section or who fails to comply with the terms of said notice, shall be liable on summary conviction to a penalty of not more than \$50 (fifty dollars) and in default of payment to imprisonment for a term of not more than 30 (thirty) days; every day during which such condition is not remedied is a fresh offence.



**Town of Hantsport  
By-law #14**

**Building and Grounds  
Maintenance By-law**

Passed by the Town Council of the Town of Hantsport on the 1<sup>st</sup> day of August, 1967.

Approved by the Minister of Municipal Affairs on the 14<sup>th</sup> day of September, 1967.



**Town of Hantsport  
By-law #80**

## **Minimum Housing Standards By-law**

1. Every owner of a building in the Town of Hantsport shall maintain the building in accordance with the standards set out in Section 7, 8 and 9 of this by-law.
2. Every occupant of a dwelling in the Town of Hantsport shall maintain that portion of the dwelling within his exclusive possession in accordance with the standards in Section 10 of this by-law.
3. Every erection, repair or alteration made to any building in the Town of Hantsport shall comply with the provisions of the Building By-law.
4. The standards of this by-law are minimum standards and this by-law shall not be construed so as to lessen the requirements prescribed for buildings, construction repairs, alterations or any other thing contained in any other Town of Hantsport by-law.
5. In this by-law:
  - a) “accessory building” means a detached subordinate building or structure on the same lot as the main building;
  - b) “alter” means to change the structural component of a building or to increase the volume of a building;
  - c) “building” includes any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, or part thereof;
  - d) “building inspector” means the building inspector of the Town of Hantsport;
  - e) “Council” means the council of the Town of Hantsport;
  - f) “dwelling” means any building, part of a building, trailer or other covering or structure, the whole or any portion of which has been used or is capable of being used for the purpose of human habitation with the land and premises appurtenant thereto;
  - g) “dwelling unit” means a room or suite of rooms occupied or capable of being occupied as an independent and separate housekeeping establishment;
  - h) “exclusive possession” means the occupancy of a dwelling by other than the owner by notice of a written lease or by notice of the consent of the owner;
  - i) “habitable room” means any room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes;
  - j) “non-habitable room” means an area of a building, other than a habitable room, in a dwelling or dwelling unit and includes the following:
    - i. a bathroom or shower room
    - ii. a toilet room
    - iii. a laundry room
    - iv. a boiler or furnace room
    - v. a pantry



**Town of Hantsport  
By-law #80**

## **Minimum Housing Standards By-law**

- vi. a closet
  - vii. a corridor or hall
  - viii. a foyer
  - ix. a stairway
  - x. a lobby
  - xi. a recreation room used as a common room for all tenants in a building, or other space used for access, service or maintenance of the dwelling.
- k) “occupant” means any person over the age of 19 (nineteen) years in possession of the property;
- l) “owner” includes:
- i. a person who is entitled to possession as tenant in fee simple;
  - ii. a mortgage in possession;
  - iii. where the mortgage or receiving the rent of the land or premises, whether on his own account or as agent or trustee of any other person;
  - iv. a person who is assessed for the building on the assessment roll of the Town as of the date alleged violation.
- m) “person” includes any person, male or female, and any corporate and any partnership;
- n) “repair” includes the taking of such action to bring any property under the jurisdiction of this by-law up to the standards set by this by-law;
- o) “yard” includes an unoccupied space on the same lot with a building extending along the length of the street, rear lot line or side lot lines.

### **STANDARDS FOR YARDS AND ACCESSORY BUILDINGS**

6.

**a) Yards:**

Yards shall be kept clean and free from thistles and noxious weeds.

**(2) Sewage and drainage:**

- (a) Sewage or organic waste shall be discharged into the Town sanitary sewer system where available, otherwise into a private sanitary sewer system approved by the Board of Health.
- (b) Adequate surface water drainage shall be provided over the whole area of the property together with suitable arrangements for its disposal without erosion.

**(3) Walks, steps, driveways and parking areas:**

Steps, walks, driveways and parking areas and similar areas of a yard shall be maintained to afford safe passage under normal use and weather conditions.



Town of Hantsport  
By-law #80

## Minimum Housing Standards By-law

**(4) Garbage enclosures:**

Every building shall be provided with a garbage enclosure which shall be maintained in a clean and sanitary condition.

**(5) Accessory buildings:**

Accessory buildings shall be maintained in good repair and free from hazards or conditions which may affect health or cause fire or accidents.

### STANDARDS FOR DWELLINGS AND DWELLING UNITS

**7. (1) Foundations:**

Foundations shall be masonry, concrete or other acceptable material and designed to adequately support the loads imposed and provide a normally dry basement or crawl space. Foundations shall be free of open cracks and defective mortar joints or masonry.

**(2) Basements and unheated crawl spaces:**

Every basement, cellar, crawl space and similar space shall be adequately ventilated to the outside air and adequately drained.

**(3) Structural soundness:**

Structural components of a dwelling unit shall be free from serious deterioration, loose joining, sagging or bulging and shall be capable of sustaining safely the weight of the dwelling unit and any load to which it may be normally subjected.

**(4) Dampness:**

The interior floors, ceilings and walls shall be kept free from dampness arising from the entrance of moisture through an exterior wall or roof or through a cellar, basement or crawl space floor.

**(5) Pest prevention and control:**

A dwelling unit shall be kept free of rodents, vermin and insects at all times, and appropriate extermination measures shall be taken as necessary.

**(6) Enclosed space access – access and venting:**

An access opening of at least 1' 8" (one foot and eight inches) by 2' 4" (two feet and four inches) shall be provided, when required, to attics, crawl spaces and other enclosed spaces. Where mechanical equipment is enclosed the access opening shall be sufficiently large to permit the removal and replacement of equipment. Enclosed attic, roof and crawl spaces shall be vented to the exterior.



**Town of Hantsport  
By-law #80**

## **Minimum Housing Standards By-law**

- (7) **Floors:**  
Every floor shall be reasonably level and smooth and maintained in good condition. Resilient or non-absorption flooring or the equivalent shall be provided in bathrooms, kitchens and laundry rooms. Where flooring has become worn, damaged, cracked or holed or is an accident hazard it shall be repaired, replaced, or removed.
- (8) **Exterior walls:**  
Exterior walls and their components shall be adequate to support the loads imposed upon them and shall be maintained to prevent their deterioration due to the weather or insects. All exterior walls shall have an acceptable cladding or covering, free of holes, cracks, or excessively worn surfaces, to prevent the entry of moisture into the structure and provide reasonable durability.
- (9) **Interior walls and ceilings:**  
Every wall and ceiling finish shall be maintained in a clean condition free from holes, loose coverings or other materials or defects which may increase the spread of fire. Where fire resistant walls exist between separate dwelling units, they shall be maintained in a condition which retains their fire resistant quality. Load bearing walls or columns shall be adequate to support the loads imposed upon them.
- (10) **Roofs:**  
All roof construction components shall provide adequate support for all probable loads, and form a suitable base for the roof covering. A roof including the fascia board, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the dwelling.
- (11) **Doors:**  
Existing doors and frames shall be in sound condition and operate satisfactorily. Entrance or exterior doors in dwelling units shall be capable of being locked from both inside and outside.
- (12) **Windows:**  
Windows including hardware shall provide acceptable light and ventilation, operate satisfactorily and be in acceptable condition with no loose glass, defective putty or hardware, sashes and frames to be in sound condition.
- (13) **Porches, stairs and balconies:**  
Every porch, stairway or balcony in or appurtenant to a building shall be maintained in good repair, free from holes, cracks, excessive wear and defects which constitute a safety hazard. Stairs and balconies to have appropriate handrails or safety rails of at



**Town of Hantsport  
By-law #80**

## **Minimum Housing Standards By-law**

least 3' (three feet) high.

**(14) Egress:**

Every dwelling or dwelling unit within a building shall have a safe, continuous and unobstructed passage from the interior of the dwelling or dwelling unit to the exterior and shall not pass through a room contained in another dwelling.

**(15) Heating:**

Every dwelling or dwelling unit shall be equipped with a suitable heating system capable of maintaining an indoor temperature of 21°C (twenty-one degrees Celsius). The heating system shall be maintained in good working condition so as to be capable of heating the dwelling unit safely to the required standard. Where a heating system or part thereof or any auxiliary heating system or unit burns solid or liquid fuel, a place or receptacle for storage of the fuel shall be provided and maintained in a convenient and safe location free from fire and accident hazards. Fuel fired heating appliances shall be located in areas and locations so as not to create a fire or accident hazard or obstruct an egress from a dwelling or dwelling unit. Chimneys, smoke pipes, connections, etc. shall be maintained in good working order and be capable of conveying spent gases to the exterior of the building safely.

**(16) Electrical services:**

Electrical facilities shall comply with the standards of the Canadian Electrical Code.

**(17) Plumbing:**

All plumbing, pipes, fixtures, etc. shall be in sound condition. All water pipes and appurtenances thereto shall be protected from freezing. The plumbing system shall provide satisfactory hot and cold water supply, drainage, venting and operation of fixtures.

**(18) Light and ventilation:**

- i. Every habitable room shall be provided with one or more windows facing directly on a street, yard or court, or a system of mechanical ventilation acceptable to the building inspector may be used in lieu of such window or windows.
- ii. Every bathroom or room containing a toilet or urinal shall be provided with ventilation by means of one or more windows facing upon a street or court or yard or airwell; or by means of one or more windows opening into a vent shaft which extends to and through the roof or into a court, yard or airwell; by means of a separate duct or noncombustible material not less than 12 (twelve) square inches in cross-section, which



**Town of Hantsport  
By-law #80**

## **Minimum Housing Standards By-law**

extends independently of any duct used for other purposes, to and through the roof, or by ventilating sky light, or by such other approved means of mechanical ventilation approved by the building inspector.

- iii. The aggregate area of glass in windows required in all rooms shall not be less than 8% (eight percent) of the floor area of the building.
- iv. All windows required by this by-law for purposes of ventilation shall be capable of being opened to an extent of at least 30% (thirty percent) of the glass area required for such windows. Nothing in this clause, however, shall be deemed to require double windows or storm windows to be installed so as to permit them to be open as herein provided, unless such ventilation is required by the building inspector.

**19. Toilet, kitchen and bathroom facilities:**

Every dwelling unit shall be provided with at least 1 (one) kitchen sink, water closet, wash basin and bathtub or shower, connected to a piped supply of potable water and an acceptable means of sewage disposal.

**20. Bathrooms and toilet rooms:**

All bathrooms and toilet rooms shall be located within easy access to the building and shall be fully enclosed and have a lockable door to provide privacy, where accessible to the public. Where practicable, a wash basin shall be located in the same room as the water closet.

**21. Kitchens:**

Every dwelling unit shall contain a kitchen area equipped with a sink, served with hot and cold running water, storage facilities and a counter top work area. Space shall be provided for a stove and a refrigerator.

### **GENERAL**

**8. (1) Shared facilities:**

Where a building contains more than 1 (one) dwelling unit and heating, storage, refuse disposal and other facilities are shared, renovations, alterations and repairs shall satisfy the requirements of the National Building Code, forming part of the Building By-law of the Town of Hantsport.

**(2) Fire protection:**

All construction materials shall satisfy the requirements of the Residential Standards of the National Building Code forming part of the Building By-law of the Town of



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By-law #80**

## **Minimum Housing Standards By-law**

Hantsport in order to retard the spread of fire and prevent the passage of flame, smoke and hot gases through open or concealed spaces within the building. Sufficient exits from the building shall be provided to assure safe egress in case of fire.

### **OCCUPANTS STANDARDS**

- 9.
- a) All parts of a building which are occupied by a person other than the owner as defined herein and which are in exclusive possession of the occupant as defined herein, shall be kept free from rubbish, garbage and other debris, objects and conditions that are health, fire or accident hazards.
  - b) All garbage, rubbish and other debris shall be placed in suitable waterproof containers, properly fastened and stored in garbage enclosures provided by the owner. Loose papers shall be bundled and tied so that they can be easily handled and not blow away.
  - c) The occupant of a dwelling unit shall maintain a safe, continuous and undisturbed passage from the interior of the dwelling unit to the exterior of the dwelling unit.
  - d) Cooking, heating and domestic hot water equipment owned and installed by the occupant shall be maintained in good working order and repair.
  - e) The occupant shall not use any area of the dwelling unit under his care or control for sleeping purposes which is a non-habitable room.
  - f) The occupant shall not prepare or store food in a room containing a urinal or water closet.
  - g) Minimum space and room dimensions:  
No part of a dwelling except a habitable room as defined herein shall be used for sleeping purposes. A room used for sleeping purposes shall have a floor area of at least 60 (sixty) square feet and shall have at least 40 (forty) square feet of floor area for each occupant of the age of 12 (twelve) and over and at least 25 (twenty-five) square feet of floor area for each occupant under the age of 12 (twelve) years old occupying such rooms provided.

### **ENFORCEMENT**

10. (1) Whenever the building inspector determines that there are reasonable grounds to



**Town of Hantsport  
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## **Minimum Housing Standards By-law**

believe that there has been violation of any of the provisions of this by-law, he shall give written notice of such alleged violation to the owner or occupant, as the case may require, of the dwelling or premises containing such violation as hereinafter provided. Such notice shall:

- a) Contain a statement of the point or points of non-compliance with this by-law and
  - b) Fix a period of time in which such owner or occupant as the case may require must complete whatever remedial action is necessary to eliminate the point or points of non-compliance with this by-law and if the remedial action is completed within the required time, then the non-compliance with this by-law shall not be an offence.
- (2) In the event of the failure of the owner or occupant so served with notice from the building inspector to remedy the violation described in the notice within the fixed time period, the Council may instruct the Clerk to serve notice on the owner or occupier requiring him to remedy the violation described in such notice within 30 (thirty) days after service. If no owner of any building or structure in respect of which any such contravention or failure to comply is taking place, or has taken place, can be found within the town, the town council may post, or may cause to be posted, a notice of such contravention or failure, and of the intention to take proceedings in respect thereof, upon such building or structure, and at the expiry of 10 (ten) days from the first day of such posting any proceedings in respect thereof may be had and taken ex parte.
- (3) In the event of the failure of the person so served with notice to remedy the violation within 30 (thirty) days after such service, the person shall be liable upon conviction to the penalties provided by Section 228 of the Towns Act.

Passed by the Town Council of the Town of Hantsport on the 5<sup>th</sup> day of August, 1980.

Approved by the Minister of Municipal Affairs on the 19<sup>th</sup> day of September, 1980.



**Town of Hantsport  
By-law #101-2**

## **Noise By-law**

### **PREAMBLE:**

The residents of this normally quiet and peaceful town continue to experience the challenge of finding the appropriate level of control over the action of people in Town to encourage respect for others' privacy and their enjoyment of life.

Through a "living in community" initiative by Town Council, examining what contributes to and what detracts from comfort levels for residents of Hantsport, excessive noise has been identified as a significant factor.

With the authority vested in the Town by the Municipal Government Act to control noise, this bylaw is intended to establish acceptable standards for noise to encourage respect for the comfort, privacy and enjoyment of life for Town residents without the sanctions, which accompany the control of excessive noise generating behavior through the Canadian Criminal Code.

Be it therefore enacted by the Council of the Town of Hantsport, as follows:

1. This by-law shall be known as By-law No. 101-2 and may be cited as the Noise By-law.
2. In this by-law:
  - (1) "A-weighted Continuous Noise Level" and "dBA" both have the meaning used in Ontario Municipal Model Noise Code (1978);
  - (2) "Dwelling Unit" means living quarters, accessible from a private entrance either outside a building or in a common area within a building, that are occupied or, if unoccupied, are reasonably fit for occupancy, and that: contain kitchen facilities within the unit and have toilet facilities that are not shared with the occupants of other dwelling units;
  - (3) "Occupier" means a person who is in possession of a dwelling unit, or a person who has responsibility for and control over the condition of a dwelling unit or the activities there carried on.

Notwithstanding that there is more than one occupier of the same dwelling unit;

- (4) "Sound system" includes a public address system, phonograph, gramophone, radio, cassette tape player, compact disc player, computer or computer accessory, loudspeaker, microphone, or any other device or apparatus, whether moveable or stationary, whether located inside or outside a dwelling unit or motor vehicle, that apparatus amplifies, emits or transmits sounds;
- (5) "Town" means the Town of Hantsport.



**Town of Hantsport  
By-law #101-2**

## **Noise By-law**

3. The following acts, among others, are hereby declared to be noises, which disturb or tend to disturb the peace and tranquility of the Town or any portion of it:

(1) Making any noise or combination of noises which, when measured on the property or at a boundary line of the property on which the noise is heard or the noises are heard, exceeds the applicable A-weighted continuous noise level as follows:

<b>Time</b>	<b>Residential Property</b>	<b>Commercial and Institutional Property</b>
7 a.m. – 10 p.m.	55dBA	65 dBA
10 p.m. – 7 a.m.	45 dBA	55dBA

(2) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor boat, except through a muffler or other device which will effectively prevent loud or explosive noises from it;

(3) The operation of any noise-creating blower power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operation gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to attenuate such noise and the device is operated between the hours of 8 a.m. and 8 p.m.;

4.

(1) No person, in the Town, shall make any noise which disturbs or tends to disturb the peace and tranquility of the Town or any portion of it.

(2) No person who owns, or has under his or her supervision, a dog, shall permit the dog to make any noise, which disturbs or tends to disturb the peace and tranquility of the Town or any portion of it.

(3) No person, in the Town, shall operate, or cause or permit to be operated any sounds system at such a level that the resulting sound is heard, in a dwelling unit or other building, other than the dwelling unit or other building in which the sound system in question is located.

(4) No person shall be:

- fighting
- screaming
- shouting, or
- singing

No person shall cause any loud and unnecessary noise, the sounds of which are heard on another property or at a boundary line of the other property, or in a dwelling unit other than the dwelling unit in which the noise is generated.



**Town of Hantsport  
By-law #101-2**

## **Noise By-law**

- 5.
- (1) No occupier shall allow or permit to occur in the dwelling unit of which that person is the occupier, any activity prohibited by Section 4 above.
  - (2) It is a defence to a charge under this section that there was another occupier who had a greater right of possession or greater responsibility and control over the dwelling unit in question at the time of the prohibited activity.
6. This by-law does not apply to the following:
- (1) Employees of the Town, the Government of Canada, the Province of Nova Scotia Inc., Minas Basin Pulp & Power Company Ltd., Fundy Gypsum Company, Windsor and Hantsport Railway Company Limited, Nova Scotia Power or Maritime Tel and Tel when those employees are acting in the reasonable execution of their duties;
  - (2) Noises emitted by machinery or equipment when used under the provisions of (1) above;
  - (3) A person or a corporation, or an employee of such person or corporation, reasonably performing work at the request of any party described in (1) above;
  - (4) Noise emitted by machinery and equipment, or either of them, used in snow removal and snow clearing operations on public or private property, not later than 48 (forty-eight) hours after the end of the storm which left the snow;
  - (5) Noises in connection with athletic, recreational or school activities in arenas, playing fields, courts, school grounds or in Town park areas between the hours of 7 a.m. and 11 p.m.;
  - (6) Noises in relation to parades, street dances, or other community activities between the hours of 7 a.m. and 11 p.m. subject to permission having been granted under Section 8 of this By-law;
  - (7) Noises in relation to religious activities between the hours of 7 a.m. and 11 p.m.;
  - (8) (a) The regulation of any loud and unnecessary noise in or from the engine, exhaust system, braking system, or from the contact of the tyres with the roadway, by a motor vehicle from starting, driving, turning, stopping, or accelerating;  
  
(b) The regulation, registration, licensing or identification of vehicles, or the use of the highway by such vehicles, both categories of which are within the jurisdiction of the Motor Vehicle Act.



**Town of Hantsport  
By-law #101-2**

## **Noise By-law**

7. Notwithstanding any other provision of this By-law, it is lawful to emit or cause or permit the emission of noise in connection with:
  - (1) Emergency measures undertaken for the immediate health, safety and welfare, or any of them, of the inhabitants of the Town;
  - (2) Emergency measures undertaken for the preservation of property;
  - (3) Construction activities between the hours of 8 a.m. and 8 p.m. for which a Building Permit has been issued by the Town;
  - (4) Agriculture activities carried on by a farm operation.
  
8. An exemption from the application of the By-law may be granted by the Council under the following terms:
  - (1) Notwithstanding anything contained in this By-law, any person may make application to the Council to be granted an exemption from any of the provisions of this By-law with respect to any emission of noise for which that person might be prosecuted. The Council may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser affect. Any exemption granted shall specify the time period, not in excess of 6 (six) months, during which the exemption shall be effective and the exemption shall be in written form and shall include such terms and conditions as the Council deems appropriate;
  - (2) In deciding whether or not to grant an exemption, the Council shall give consideration to the social or commercial benefit of the proposed activity to the Town, the views of any residents of the Town which may be expressed to the Council, the proposed hours of operation of the proposed noise making activity, and the proposed duration of the subject activity;
  - (3) In deciding whether or not to grant an exemption, the Council shall give the applicant and any person or person, who may be affected by the proposed activity, an opportunity to be heard and may consider such other matters as the Council deems appropriate;
  - (4) Any alleged breach by the applicant of any of the terms or conditions of any exemption granted by the Council shall be investigated by Town staff and reported to the Council in writing. The Council shall determine whether or not a breach has taken place. If the Council determines that a breach has taken place the Council may revoke the exemption.
  
9. Every person who contravenes or fails to comply with any of the provisions of the By-law



**Town of Hantsport  
By-law #101-2**

## **Noise By-law**

shall be liable to a penalty of not less than \$50 (fifty dollars) and not more than \$200 (two hundred dollars), and default of payment, to imprisonment for a period not exceeding 60 (sixty) days.

Passed by the Town Council of the Town of Hantsport on the 24<sup>th</sup> day of October, 2001.

Approved by the Minister of Municipal Affairs on (no ministerial signature).

## REGIONAL EMERGENCY MANAGEMENT BY-LAW

A By-law to Provide for a Prompt and Coordinated Response to a State of Local Emergency.

The Town Council of the Town of Hantsport, under the authority vested in it by the *Municipal Government Act*, Stats. NS., 1998, C. 18, and the *Emergency Management Act*, Stats. N.S., 1990, C. 8, enacts as follows:

### SHORT TITLE

1. This by-law may be cited as the "Regional Emergency Management By-law".

### INTERPRETATION

2. In this by-law,
  - a. "Act" means the *Emergency Management Act*, Stats. N.S., 1990, C. 8;
  - b. "Agreement" means the agreement among the Town of Windsor, the Town of Hantsport and the Municipality of the District of West Hants pursuant to the Act;
  - c. "Council" means the Council of the Town of Hantsport;
  - d. "Councils" means the Councils of the Town of Hantsport, the Municipality of the District of West Hants, the Town of Windsor ;
  - e. "Councillor" means a member of the Council;
  - f. "Emergency" means a present or imminent event in respect of which the Minister of Municipality, as the case may be, believes prompt coordination of action or regulation of persons or property must be undertaken to protect property or the health, safety or welfare of people in the Province;
  - g. "Emergency Management Office" means the Emergency Management Office

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established pursuant to the *Public Service Act*;

- h. "Emergency Management Plan" means any plan, program or procedure prepared by the Province or Municipality, as the case may be, that is intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of civil population and the protection of property in the event of such an occurrence;
- i. "Fire Marshall" means the Fire Marshall appointed pursuant to the *Fire Prevention Act*
- j. "Mayor or Warden" includes a Councillor acting in the stead of the Mayor or Warden, as the case may be;
- k. "minister" means the Minister of Emergency Management;
- l. "Municipality" means the city, an incorporated town or a municipality of a county or district;
- m. "Police Officer" means a member of the Royal Canadian Mounted Police and a police officer of a Municipality;
- n. "Regional Emergency Management Advisory Committee" means a committee established by agreement to plan for and be responsible for the direction and management of emergency activities;
- o. "Regional Emergency Management Coordinator" means the person and their alternate appointed by the participating parties of REMO;
- p. "Regional Emergency Management Organization" means the organization established as per the agreement;
- q. "Regional Emergency Management Planning Committee" means the committee responsible to recommend policy to the Regional Emergency Management Advisory Committee;
- r. "State of Emergency" means a state of emergency declared by the Minister or renewed by the Minister pursuant to this Act;
- s. "State of Local Emergency" means a state of local emergency declared by a

Municipality or renewed by it pursuant to this Act;

**REGIONAL EMERGENCY MANAGEMENT ORGANIZATION**

3. The Council hereby agrees to the establishment of a Regional Emergency Management Organization in accordance with the Agreement.
4. The Regional Emergency Management Organization shall consist of the following persons and Committees:
  - a. a Regional Emergency Management Advisory Committee;
  - b. a Regional Emergency Management Coordinator;
  - c. a Regional Emergency Management Planning Committee.

**REGIONAL EMERGENCY MANAGEMENT  
ADVISORY COMMITTEE**

5. Council shall appoint representatives to the Regional Emergency Management Advisory Committee in accordance with the agreement from its members for such term as the agreement provides.
6. Council's representation on the Regional Emergency Management Advisory Committee shall at all times be no fewer than three members of the Council or as required by the agreement.
7. The Regional Emergency Management Advisory Committee shall:
  - a. be responsible for the development of Regional Emergency Management plans;
  - b. brief Council on the development of these plans;
  - c. prepare and recommend the annual operating budget to respective Councils for approval.

**REGIONAL EMERGENCY MANAGEMENT COORDINATOR**

8. A Regional Emergency Management Coordinator shall be appointed in accordance

with the agreement.

9. The Regional Emergency Management Coordinator shall receive an honorarium in accordance with the agreement.
10. The Regional Emergency Management Coordinator shall:
  - a. chair the Regional Emergency Management Planning Committee;
  - b. coordinate and prepare Regional Emergency Management plans;
  - c. perform such duties as provided for in the agreement.

**REGIONAL EMERGENCY MANAGEMENT  
PLANNING COMMITTEE**

11. Each party shall appoint representatives to the Regional Emergency Management Planning Committee as the agreement provides.
12. The Regional Emergency Management Planning Committee shall include, but not be limited to, persons responsible during an emergency to provide:
  - a. law enforcement;
  - b. fire control;
  - c. engineering services;
  - d. health services;
  - e. community services;
  - f. transportation;
  - g. communications;
  - h. public information;
  - i. utilities;
  - j. hospital;
  - k. financial services;
  - l. legal services.
13. The Regional Emergency Management Planning Committee shall:
  - a. assist the Regional Emergency Management Coordinator in the preparation and coordination of the Regional Emergency Management plans;
  - b. advise the Regional Emergency Management Advisory Committee on the development of Regional Emergency Management plans;

- c. upon request, assist the Regional Emergency Management Advisory Committee in the briefing of Councils on the development of Regional Emergency Management plans;
- d. perform such other duties as may be required by the Regional Emergency Management Advisory Committee or the agreement.

#### AGREEMENTS

- 14. The Regional Emergency Management Advisory Committee may enter into agreements with the Government of Canada, the Province of Nova Scotia, a municipality, city, town, or any other agency or any person, subject to approval of each Council.

#### DUTY OF COUNCIL

- 15. The Council may appropriate and expend monies:
  - a. to pay the cost of operations and reasonable expenses of members of the Regional Emergency Management Advisory Committee, the Regional Emergency Management Coordinator and the Regional Emergency Management Planning Committee; and
  - b. to fulfill the terms and conditions of any agreements as per Section 14.

#### DUTIES DURING A STATE OF LOCAL EMERGENCY

- 16. Following the issuance of a declaration, and or the duration of the state of local emergency:
  - a. every Councillor shall keep the Mayor posted respecting their whereabouts;
  - b. every employee, servant and agent of the Municipality who has a key role to play in such emergencies as identified in the Regional Emergency Management plans shall:
    - i. advise the Regional Emergency Management Coordinator of their whereabouts; and
    - ii. fulfill such duties as may be prescribed by the Regional Emergency Management Plan.

REPEAL

17. All former Emergency Measures By-Laws of the Town of Hantsport are hereby repealed and this By-Law substituted therefore.

I, Jeffery A. Lawrence, Chief Administrative Officer for the Town of Hantsport, do hereby certify that the foregoing is a true copy of a by-law duly passed at a duly called meeting of the Town Council of the Town of Hantsport held on the 2 day of October/07.

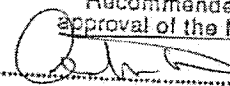
GIVEN under the hand of the Chief Administrative Officer and under the Corporate Seal of the said Town this 7<sup>th</sup> day of January 2008

THE TOWN OF HANTSPORT

  
Jeffrey A. Lawrence  
Chief Administrative Officer

Service Nova Scotia  
and Municipal Relations

Recommended for  
approval of the Minister



Department Solicitor


APPROVED this 19<sup>th</sup> day  
of June, 2008




Minister of Service Nova Scotia and Municipal Relations

**The Attached Municipal By-Laws are Recommended for Approval:**

RE: Town of Hantsport - Regional Emergency Management By-Laws

  
\_\_\_\_\_  
Craig D. MacLaughlan  
Chief Executive Officer/Deputy Head  
Emergency Management Office (NS)

Dated: 08/03/14

  
\_\_\_\_\_  
The Honourable David M. Morse  
Acting Minister of Emergency Management

Dated: March 18, 2008