



**COUNCIL MEETING AGENDA**  
**Tuesday, February 17, 2015 @ 7:30 pm**  
**Municipal Administration Centre (Council Chambers)**

- 1) Call to Order – Chairman, Warden Russell Boucher
- 2) Approval of Agenda
- 3) Approval of Municipal Council Minutes of January 20, 2015
- 4) Approval of Municipal Council Minutes of February 4, 2015
- 5) Business Arising from Minutes
- 6) Public Hearing
  - i. None.
- 7) Presentation(s)
  - i. VON – Ann Isherwood and Dr. Roger Porter
  - ii. Antigonish Community Transit (ACT) Update – Alida Campbell
- 8) Correspondence
  - i. New Environmental Assessment Registration – Brierly Brook Quarry
  - ii. John Bain – Review of the Nova Scotia Municipal Affairs Working Group on Building Officials' Training and Education Interim Report
  - iii. Alfred and Anne Marie Benoit – Petition to DTIR re: Request to pave the Pomquet Lake Road
- 9) Committee Reports
  - i. Committee of the Whole – February 4, 2015
  - ii. Committee of the Whole – February 17, 2015 (Will be provided at the meeting)
- 10) Motion(s)
  - i. Second reading of Amendments to the By-Law Respecting the Regulation of Discharges to the Public Sewer Systems
- 11) Reports from Individual Council Members on Outside Boards, Committees, and Commissions
- 12) Miscellaneous Business
- 13) Legal Advice Eligible for Solicitor-Client Privilege
- 14) Adjournment

# STRATEGIC PRIORITIES CHART

October 2014

## CORPORATE PRIORITIES (Council/CAO)

### NOW

1. **SOLAR ENERGY: Business Case**
2. **SEWER TREATMENT PLANT: Memorandum of Understanding**
3. **ECONOMIC DEVELOPMENT & TOURISM STRATEGY: Terms of Ref.**
4. **FRINGE AREA WATER: Options**
5. **FRINGE AREA MPS: Completion**

### TIMELINE

November  
December  
November  
January  
December

### NEXT

- PLANNING FUNCTION: Review
- CAPITAL STRATEGY
- POTENTIAL SHARED SERVICES
- INDUSTRIAL PARK
- RESIDENTIAL ENERGY PROGRAM
- LONG TERM FINANCIAL PLAN

### ADVOCACY / PARTNERSHIPS

- *Shared Services Review*
- *Potential Shared Services*

## OPERATIONAL STRATEGIES (CAO/Staff)

### CHIEF ADMINISTRATIVE OFFICER ( )

1. **EDT STRATEGY: Terms of Reference - Nov.**
  2. REN: Start-up - April
  3. SHARED SERVICES: Review
- Strategic Plan Linkages
  - Policy Review

### FINANCE ( )

1. CAPITAL STRATEGY: Inventory - June
  2. Water utility Rates: Review - Nov.
  3. IT Proposal - Staff - Jan.
- LONG TERM FINANCIAL PLAN
  -

### PUBLIC WORKS ( )

1. SEWER TREATMENT PLANT: MOU - Nov.
  2. FRINGE AREA WATER: Options - Jan.
  3. Water Meter Proposal - Jan.
- Maintenance System
  -

### RECREATION ( )

1. Accessibility Policy -
  2. Registration Software
  3. Active Transportation Actions
- -

### CORPORATE SERVICES ( )

1. **SOLAR ENERGY: Business Case - Nov.**
  2. Residential -
  3. MCCAP: Review -
- Business Continuity
  - Public Engagement Strategy

### PLANNING (\_\_\_\_)

1. **FRINGE MPS: Completion**
  2. South West MPS -
  - 3.
- -

**CODES:** BOLD CAPITALS = NOW Priorities; CAPITALS = NEXT Priorities; *Italics = Advocacy*;  
Regular Title Case = Operational Strategies



## **MUNICIPALITY OF THE COUNTY OF ANTIGONISH**

Municipal Council Meeting - Minutes

**Tuesday, January 20, 2015**

**7:30 to 9:00 pm**

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Present: Warden Russell Boucher, Chairperson  
Deputy Warden Owen McCarron

Councillors: Donnie MacDonald Bill MacFarlane  
Mary MacLellan Pierre Boucher  
Angus Bowie Vaughan Chisholm  
Hughie Stewart

Also present: Glenn Horne, Municipal Clerk/Treasurer  
Adam Rodgers, Solicitor – Boudrot & Rodgers Law Firm  
Beth Schumacher, Deputy Clerk  
John Bain, Director, Eastern District Planning Commission  
Corey LeBlanc, The Casket  
Matt Draper, The Reporter  
Greg Morrow, The Hawk  
Bill MacCuish, 98.9 XFM  
Gallery

Regrets: Councillor Rémi Deveau

The meeting was called to order at 7:36 by the Chair, Warden Russell Boucher, who welcomed everyone to the meeting.

### **APPROVAL OF AGENDA**

Warden Boucher called for any additions or deletions to the agenda.

The following item was added to the Agenda.

- 1) Under #8 - Correspondence, add item v) Minister of Transportation acknowledgement of Pictou County's letter re: Highway 104 twinning

**Min #2015-001 (Approval of Agenda)**

*MOVED by Councillor MacDonald, SECONDED by Deputy Warden McCarron, that the agenda be approved as amended. Motion carried.*

### **APPROVAL OF MINUTES**

Warden Boucher called for the approval of the Municipal Council Minutes of November 18, 2014.

**Min #2015-002 (Approval of November Minutes)**

*MOVED by Deputy Warden McCarron, SECONDED by Councillor Chisholm, that the Municipal Council Minutes of November 18, 2014 be approved. Motion carried.*

Warden Boucher called for the approval of the Municipal Council Minutes of December 16, 2014.

**Min #2015-003 (Approval of December Minutes)**

*MOVED by Councillor Boucher, SECONDED by Councillor Bowie, that the Municipal Council Minutes of December 16, 2014 be approved. Motion carried.*

**PRESENTATIONS**

**Community Health Board**

Dan Fougere (Antigonish CHB Chair), Andrea Donovan (Community Health Promotion Officer) and Jaime Smith (Marram Consulting) gave a presentation providing an overview of the composition and role of the Community Health Board, the role of the Community Health Plan, and the anticipated processes as the next Community Health Plan (2015-2018) is drafted. The presenting members asked for Council's assistance in identifying and connecting with local groups to facilitate the community consultation efforts being undertaken as part of the plan development. Further, Council was asked for assistance with encouraging participation in the consultation process.

Members of Council asked to be notified as the consultation meetings are scheduled, so that they could help to promote the meetings. Further, the suggestion was made that County Recreation staff be consulting for contact information for community groups and halls. A copy of the presentation is attached.

Warden Boucher thanked the representatives for their presentation.

**Positive Action for Keppoch**

Dr. John Chaisson provided an update on the recent progress with the development of the Keppoch, including the construction of trails, improvements to buildings, and a number of projects planned for the facility that will continue to increase the recreation opportunities and services being made available to users. Dr. Chaisson noted that the facility is hoping to host a major bike race in the future, and is looking to obtaining the infrastructure necessary to provide cross country skiing opportunities, constructing additional shelters and warming huts, completing the children's park, and adding a children's climbing structure.

Dr. Chaisson noted that the facility would be hosting a Fun Day on February 15<sup>th</sup>, and would be launching a membership campaign on that date. A formal request for funding from the County would be submitted in the future.

Warden Boucher thanked Dr. Chaisson for his presentation.

**St. FX Rowing Club**

Katie Edwards and Wendy Langley provided a presentation providing some recent background on the St. FX Rowing Club and its success in the last few years with hosting high-caliber rowing events. This has led to the club being awarded the opportunity to host the 2015 Canadian University Rowing Championships, to be held October 31<sup>st</sup> through November 1<sup>st</sup>. Approximately 26 teams are expected to participate, translating into about 350 athletes, plus their coaches, volunteers, and families.

The Rowing Club is looking for organizations to sponsor this event, and hope that the County will consider providing support at the "presenting" level for three reasons: The event will result in permanent infrastructure within the County to support future events; the event will result in a great deal of local spending by both organizers and participants; and the Club and its enhanced Olympic-

class facilities represent a valuable youth development opportunity in the community. The handouts provided at the meeting outlining event details and budget considerations are attached.

Ms. Edwards and Ms. Langley were thanked for their presentation.

## **CORRESPONDENCE**

Correspondence has been received from the following:

1. Elaine Wagner, UARB – Confirmation of receipt of Boundary Review Study
2. Disestablishment of Antigonish Regional Development Authority
3. Lease – Justice, Antigonish County Jail
4. Thank-you Letter – Arisaig Community Development Association
5. Minister – TIR Hwy 104 Twinning request from Pictou County

## **COMMITTEE REPORTS**

### **Committee of the Whole Report – January 13, 2015**

#### **Min #2015-004 (Street Light Request)**

*MOVED by Councillor Pierre Boucher and seconded by Deputy Warden Owen McCarron that a street light be installed at Randall's Bridge in Bayfield. Motion Carried.*

#### **Min #2015-005 (Strategic Priorities)**

*MOVED by Councillor Donnie MacDonald and seconded by Deputy Warden Owen McCarron that Municipal Council adopt the "Strategic Priorities Chart & Priority Work Program" for continuous use at each Council meeting, quarterly review, and annual updating. Motion Carried.*

#### **Min #2015-006 (Priority Setting Update Session)**

*MOVED by Councillor Hugh Stewart and seconded by Councillor Pierre Boucher that the Municipal Clerk Treasurer schedule an annual Priority Setting Update session to be held prior to the setting of the annual operating budget. Motion carried.*

#### **Min #2015-007 (Crime Prevention Bonspiel)**

*MOVED by Councillor Rémi Deveau and seconded by Deputy Warden Owen McCarron that the County sponsor a team and donate a prize for the Annual Crime Prevention Curling Bonspiel. Motion Carried.*

### **Committee of the Whole Report – January 20, 2015**

#### **Min #2015-008 (Antigonish Arena Floor Repairs)**

*MOVED by Deputy Warden McCarron and seconded by Councillor Stewart that the Municipality of the County of Antigonish earmark funding in the 2015/2016 budget for the work and costs required to replace the rink slab at the Antigonish Arena, as set out in the Opinion of Probable Costs provided by CJ Mac Engineers and Surveyors. Motion carried.*

#### **Min #2015-009 (Volunteer Fire Department Registration)**

*MOVED by Councillor MacDonald and seconded by Councillor MacLellan that Municipal Council approve the registration of the Antigonish County Volunteer Fire Department, the Four Valleys Volunteer Fire Department, the Pomquet Fire and Emergency Services, and the Tracadie & Area Volunteer Fire Department. Motion carried.*

**Min #2015-010 (UNSM Resolution Request)**

*MOVED by Councillor MacFarlane and seconded by Councillor Stewart that Municipal Council approve a resolution for the UNSM 2015 Fall Conference concerning the establishment of "New England Day" in Nova Scotia on the first Saturday of August each year. Motion carried.*

**Min #2015-011 (Special District Grant Request)**

*MOVED by Councillor MacDonald and seconded by Councillor Stewart that Municipal Council approve a Special District Grant funding request in the amount of \$5,000 for the Mini Trail Community Centre in District 2. Motion carried.*

**Min #2015-012 (UNSM Resolution Request)**

*MOVED by Councillor Stewart and seconded by Councillor Boucher that Municipal Council approve a streetlight at the intersection of Failte Lane and West Lochaber Road. Motion carried.*

**MOTIONS**

**By-law Respecting the Regulation of Discharges to the Public Sewer Systems**

The by-law presented for Council's consideration for first reading are amendments to the Sewer By-law. The proposed amendments were developed using a sewer use model by-law from the Department of Municipal Affairs, with input from Department of Environment. These amendments have been reviewed by our Finance, Planning and Public Works departments, and have been reviewed and endorsed by our consulting engineers. This amended by-law has also been reviewed and shared with the Town of Antigonish because a significant percentage of the wastewater utilizes the Town's wastewater treatment plant.

The amendments are intended to update the Municipality's regulations concerning sewer systems, disposal of waste and discharges into the sanitary sewer. The existing By-law has been in place since the early 1980s with few changes. Since the by-law is based on provincial model, it is more likely to align closely with by-laws across the province and in the surrounding region.

If approved by Council for first reading, staff will arrange a Public Hearing at a future Municipal Council meeting.

**Min #2015-013 (Sewer By-law)**

*MOVED by Councillor McFarlane and seconded by Councillor MacDonald that Municipal Council give first reading to the By-law Respecting the Regulation of Discharges to the Public Sewer System. Motion carried.*

**Amendments to the Municipal Planning Strategy and Land Use by-law for the Antigonish Fringe Plan Area (formally the Antigonish County Planning Area)**

This item is returning after a Public Hearing was held back on December 16th. At that hearing, three concerns were raised by Marc Ouellette of Somerled Properties, which are, in no particular order: 1) Automobile service stations are by Development Agreement; the Architectural and Site Design Guidelines; and the Maximum height for Ground Signs of 10.7 metres (35 feet). A memo outlining those concerns and providing justification for proceeding with the amendments was prepared by Planning staff and provided to Municipal Council.

Two options have been provided in that memo to Council for proceeding with the proposal. Staff's understanding is that Council would like to entertain Option #1, which is to approve the proposed by-law with staff immediately working on an amendment to review the issues raised and prepare an amendment to address them. Once solutions are found for the issues at hand, they can be dealt with to amendments to the plan to be adopted tonight (once approved by Provincial Director of Planning).

Through further discussion with Council, it became clear that a preamble to the motion would be appropriate, logged in the minutes, which would read as follows:

*With its motion to approve the Planning Strategy and Land Use By-Law, while respecting the necessary public process, Municipal Council is also directing planning staff to immediately develop an amendment for Council's consideration that would see a sign to the height proposed by Somerled Properties (100 ft) permitted on its property and provide a framework for similar signage related development requests to be considered.*

**Min #2015-014 (Antigonish Fringe Planning Strategy and Land Use By-law)**

*MOVED by Councillor McFarlane and seconded by Deputy Warden McCarron that Municipal Council adopt the draft Municipal Planning Strategy and Land Use By-law for the Antigonish Fringe Plan Area (formally the Antigonish County Planning Area). Motion carried (5 in favour, 2 abstentions).*

**UPDATES/REPORTS FROM INDIVIDUAL COUNCIL MEMBERS**

Councillor Donnie MacDonald reported that he had attended:

- New Year's Levee
- Community Roundtable on Transportation

Deputy Warden Owen McCarron reported that he had attended:

- New Year's Levee

Warden Boucher reported that he had attended:

- Met with Cape Breton-Canso MP Rodger Cuzner to discuss the Antigonish Arena
- New Year's Levee

**Min #2015-015 (Motion to Adjourn)**

*MOVED by Deputy Warden McCarron and seconded by Councillor Bowie that the meeting adjourn at 9:01pm. Motion carried.*

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**Warden Russell Boucher**

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**Glenn Horne, Municipal Clerk/Treasurer**



## **MUNICIPALITY OF THE COUNTY OF ANTIGONISH**

Special Municipal Council Meeting - Minutes

**Wednesday, February 4, 2015**

**7:30 to 7:35 pm**

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Present: Warden Russell Boucher, Chairperson  
Deputy Warden Owen McCarron

Councillors: Donnie MacDonald Bill MacFarlane  
Mary MacLellan Pierre Boucher  
Angus Bowie Rémi Deveau

Also present: Glenn Horne, Municipal Clerk/Treasurer  
Beth Schumacher, Deputy Clerk

Regrets: Councillor Vaughan Chisholm; Councillor Hugh Stewart

The meeting was called to order at 7:34 by the Chair, Warden Russell Boucher.

### **APPROVAL OF AGENDA**

Warden Boucher called for any additions or deletions to the agenda.

**Min #2015-016 (Approval of Agenda)**

*MOVED by Councillor Deveau, SECONDED by Deputy Warden McCarron, that the agenda be approved. Motion carried.*

### **MOTIONS**

#### **Amendments to the Antigonish Fringe Municipal Planning Strategy and Land Use By-law**

Presented for Council's consideration for first reading were amendments to the Antigonish Fringe Municipal Planning Strategy and Land Use By-law. The proposed amendments were developed at the direction of Municipal Council following their consideration of the draft Planning Strategy and Land Use By-law, and are intended to address concerns raised with respect to maximum permitted sign height and size specific to sites in close proximity to the Highway 104 right-of-way.

The amendments increase the maximum permitted height and size for a sign on a property within a set distance from Highway 104. Further, provisions and criteria for allowing consideration of a variation of these sign height and size maximums by means of a variance application are proposed for inclusion in the Strategy and Land Use By-law.

The Statutory Public Hearing for the item will be scheduled to occur at the next regular meeting of Municipal Council, on Tuesday March 17, 2015.

**Min #2015-017 (Fringe MPS & LUB Amendments)**

*MOVED by Councillor MacFarlane and seconded by Councillor MacDonald that Municipal Council give first reading to the proposed amendments to the Fringe Municipal Planning Strategy and Land Use By-law regarding sign heights and sizes. Motion carried.*

**MOTION TO ADJOURN**

**Min #2015-018 (Motion to Adjourn)**

*MOVED by Deputy Warden McCarron and seconded by Councillor MacLellan that the meeting adjourn at 7:35. Motion carried.*

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**Warden Russell Boucher**

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**Glenn Horne, Municipal Clerk/Treasurer**



# Antigonish Community Transit Pilot Project Update

Presentation to the Municipality of the County of Antigonish

February 17<sup>th</sup>, 2015



County Bus

# Pilot Project Accomplishments

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- Accomplished the improbable: Began a transit service in Antigonish
- Running pilot project as a business, not an experiment
- Applied for and received a motor vehicle license to operate a public passenger system
- Launched a successful marketing and awareness campaign
- Made modifications based on suggestions, ideas, needs of riders and residents
- Established committees, policies and procedures to oversee key functions of the system

# Pilot Project Accomplishments

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- Kept costs within budget, and business viable amid changes in revenue projections
- Helped the local economy through job creation
- Purchased capital assets outright
- Created revenue streams
  - i.e. donations, sponsorships and advertising, in-kind contributions

# County Routes

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- Running very successfully to Auld's Cove/Havre Boucher and Pomquet/St. Andrew's
- Changed service type in Arisaig, Cape George and St. Joseph's, Lochaber and James River from flex route to prebooking
- Working with County Recreation to increase transportation options to activities
- Possibility of future partnerships with NSCC Strait Area Campus, PAK, etc.

# Ridership

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ADD CHART

# Community Benefits

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- Heightened awareness of transportation issues in town and county
- Increased access to services, amenities and community life
- Developed a dependable service for many experiencing barriers to transportation
  - Decreased social isolation
  - Increased independence
  - Created an affordable way to get around
- Worked with various community groups, businesses, organizations, clubs to make the service the best it can be
- Acted on suggestions and comments and made appropriate changes
- Bolstered the local economy through job creation

# Revenues

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- Fares
  - Donations
  - Sponsorships/Advertising
  - Provincial Funding (PTAP, CTAP, NS TRIP)
  - Municipal Funding
  - Charters next year
- 
- Funding gaps will affect when the service can begin its “Service Start up” phase

# Lessons Learned

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- Six months is a very short time for behavioural change!
  - Changing demographic – points to a increase in the need for alternative transportation
  - Introduce bus into the culture of the area – Part of Long Term Planning
- More time to:
  - Continue to increase awareness
  - Increase ridership among youth, students, county residents and other demographics
  - Test the revenue model and access provincial and federal funding
  - Improve the service to better serve the community

# Overall Goal

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To be a service that is seen as an integral part of the community, important for and accessible to everyone

We're getting there, but there's still some work to do!

# Moving Forward

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- Continue past March 31<sup>st</sup> to remain a dependable, affordable, accessible and safe way to travel
- Focus on increasing sponsorship and advertising revenues
- Seek out other revenue and funding sources

# Moving Forward

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- Regularly monitor routes and ridership satisfaction and make improvements
- Continue to increase awareness of system and its benefits to the community by implementing advertising and marketing plans
- Grow ridership and areas and residents served as a result of increased awareness and excellent service record



Questions?

This is to advise that on January 21, 2015, Nova Construction Co. Ltd. will register the Brierly Brook Quarry for environmental assessment, in accordance with Part IV of the Environment Act. This review follows a Draft review completed in October 2014.

The purpose of the proposed undertaking is to expand the operating quarry at Brierly Brook, Antigonish County, Nova Scotia. The quarry will occupy a maximum of 14 hectares (including the existing quarry) of land, with an expected project life of 20 years, and will support aggregate production to approximately 100,000 tonnes/year, for use primarily in local road and construction industry.

Please note that comments must be provided no later than **February 20, 2015**, to be considered in this environmental assessment. Comments are requested to be provided via e-mail if possible.

On or before **March 12, 2015**, the Minister of Environment will decide if the project can be granted conditional environmental assessment approval. All submissions received, including personal information, will be made available for public review in the Nova Scotia Environment Library, Barrington Place Suite 2085, 1903 Barrington Street, Halifax, NS.

If you have any questions, please do not hesitate to contact me.

Regards,

Steve Sanford  
Environmental Assessment Branch  
Nova Scotia Environment  
[Steve.Sanford@novascotia.ca](mailto:Steve.Sanford@novascotia.ca)  
902.424.7630



# Eastern District Planning Commission

32 Paint St., Unit 4, Port Hawkesbury NS B9A 3J8  
Tel : 902-625-5364  
Fax : 902-625-1559  
1-888-625-5361

John D. Bain  
Director  
jdbain@edpc.ca

January 15, 2015

Mr. Glenn Horne, Municipal Clerk  
Municipality of the County of Antigonish  
285 Beech Hill Road  
RR#6 Station Main  
Antigonish, Nova Scotia B2G 0B4

**Reference: Review of the Nova Scotia Municipal Affairs Working Group on Building Officials' Training and Education Interim Report**

Dear Mr. Horne,

As requested by my Board I have reviewed the above referenced report. Overall I feel the recommendations coming out of this report will go a long way in rectifying the problems we have experienced with Building Inspection training in the Commission and across the Province.

It is my impression that three recommendations in particular will be very helpful in streamlining the process of certifying and qualifying building inspectors so that they can be in the field working sooner than is the case presently. Specifically the addition of a third lower level of certification as well as an "Intern" Building official would allow new employees to be out in the field doing building inspection to their level of competence at a much earlier time.

The third recommendation that I feel will be helpful is the decision to no longer certify courses but to only certify exams. This means that if there are other opportunities to get training, internally, online or through other courses one can take the training and then just apply to write the exam. This will be helpful for inspector's hired from out of Province or when hiring trades people (like a plumber, for example) for them to simply write the exam.

The only concern identified by our review is the reliance on George Brown and Humber Colleges both in Toronto. There is no mention in the Report on a role for NSCC which I felt should at a minimum be identified in the report as an avenue of future investigation.

Overall I am very pleased with the report's recommendations and commend the authors. I would recommend your Council send a general letter of support for the report's recommendations which also identifies the NSCC concern prior to the January 31, 2015 deadline for submissions.

Yours truly,

John D. Bain  
Director

/jb

c. Shirley McNamara, Chair

January 16, 2015

Honourable Geoff MacLellan,  
Dept. of Transportation & Infrastructure Renewal  
2<sup>nd</sup> Floor, Johnston Building  
1672 Granville Street  
P.O. Box 186  
Halifax, Nova Scotia  
B3J 3Z8

Honourable Geoff MacLellan:

We are again requesting to have the Pomquet Lake Road upgraded to pavement. The situation has not been sufficiently resolved to our and our guests satisfaction. One of our guests even complained online with one of our booking agents in his comments on their website. We asked our guests in the 2014 season to comment on our road. The majority of them did not have any positive comments on the conditions of the road.

If the Tourism industry is so important, then having decent transportation should be a priority. More and more people are traveling the backroads to see the beauty of our province. They want to be able to see more than the one percent of the province when traveling only on the 100 series highways.

We are forwarding the comments made by our guests to you with copies to the Minister of Tourism, the local MLA and Transportation office. We are hoping to get a more positive response to our request.

Thank you,

*Alfred M. Benoit*  
*Ann Marie Benoit*

Alfred and Ann Marie Benoit  
Piping Plover B&B  
212 Pomquet Lake Rd  
B2G 2L4

cc: Area Manager, Dept. of Transportation & Public Works, Antigonish  
Honourable Premier Stephen MacNeil  
Randy Delorey, MLA  
Antigonish County Council ✓

Encl.

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## MUNICIPALITY OF THE COUNTY OF ANTIIGNISH

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**TO:** MUNICIPAL COUNCIL  
**FROM:** GLENN HORNE, MUNICIPAL CLERK TREASURER  
**SUBJECT:** COMMITTEE OF THE WHOLE REPORT  
**DATE:** FEBRUARY 4, 2015

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Committee of the Whole was convened at 6pm on Wednesday, February 4, 2015. The following Councillors were present:

Warden Boucher  
Councillor Deveau  
Councillor MacLellan  
Councillor MacFarlane  
Councillor MacDonald  
Councillor Boucher  
Councillor McCarron  
Councillor Bowie

Regrets:

Councillor Stewart  
Councillor Chisholm

**The following recommendations were made:**

The Committee recommends to Municipal Council that the Inter-Municipal Agreement Policy be approved as presented.

The Committee recommends that Municipal Council direct staff to draft a letter to the Department of Transportation and Infrastructure Renewal stating Council's support for the use of tolls on Highway 104 should that expedite roadway improvements, including highway twinning, for the purpose of driver safety.

The Committee recommends that Municipal Council provide a letter of support to the Pomquet Development Society for their efforts in constructing a new community centre.



**A BY-LAW RESPECTING  
THE REGULATION OF DISCHARGES TO THE PUBLIC SEWER SYSTEMS  
THE SEWER BY-LAW**

**BE IT ENACTED** by the Council of the Municipality of the County of Antigonish, under authority of the Municipal Government Act, S.N.S. 1998, Chapter 18, as follows:

**SHORT TITLE**

1. This by-law shall be known as By-Law Number \_\_\_\_\_, and may be cited as, the “Sewer By-Law”.

**DEFINITIONS**

2. In this By-Law all words have their normal dictionary meaning, except as follows:
- a) “**Municipality**” means the Municipality of the County of Antigonish
  - b) “**Council**” means the Council of the Municipality of the County of Antigonish;
  - c) “**Domestic Waste**” means wastewater or sewage;
  - d) “**Engineer**” means the Engineer for the Municipality of the County of Antigonish or his/her designate;
  - e) “**Biochemical Oxygen Demand**” or “**BOD**” means the quantity of oxygen utilized, expressed in milligrams per litre, in the biochemical oxidation of matter within a five day test period at a temperature set forth in Standard Methods;
  - f) “**Chemical Oxygen Demand**” or “**COD**” means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per litre, according to Standard Methods;
  - g) “**Color of Liquid**” means the appearance of a liquid from which the suspended solids have been removed;
  - h) “**Combined Sewer**” means a sewer that is intended to conduct wastewater and stormwater;
  - i) “**Effluent**” means treated wastewater flowing out of a treatment plant;
  - j) “**Polluted**” means altered physically, chemically or biologically such that aesthetic properties of the natural waters of the area, including any change of the temperature, taste, or odor of the waters, or the addition of any liquid, solid, radioactive, gaseous or other substance to the waters or the removal of such substances from the waters which will render or is likely to render the waters harmful to the public health, safety or welfare, or harmful or less useful for domestic, municipal, agricultural, recreational or other lawful use or for animals, birds or aquatic life;
  - k) “**Grease**” means all oil and grease extracted from aqueous solution or suspension according to the laboratory procedures set forth in Standard

- Methods, and includes, but is not limited to, hydrocarbons, esters, oils, fats, waxes and high molecular fatty acids;
- l) **“Industrial Premises”** means an area of land with or without buildings or structures on which activities pertaining to industry, manufacturing, commerce, trade, business, or institutions are carried out as distinguished from domestic dwellings;
  - m) **“Inspector”** means a person authorized by the Engineer for the Municipality of the County of Antigonish to carry out observations and inspections and to take samples as prescribed by this By-Law;
  - n) **“Matter”** includes any solid, liquid, or gas;
  - o) **“Pathologic Compounds”** means waste generated in a hospital or similar institution which contains human or animal tissue altered or affected by disease, and includes instruments or other materials which may have come in contact with such tissue;
  - p) **“Person”** shall mean any individual, firm, company, association, society, corporation, partnership or group;
  - q) **“pH”** means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion concentration of the solution in accordance with Standard Methods;
  - r) **“Phenolic Compounds”** means hydroxyl derivatives of benzene and its condensed nuclei, concentrations of which shall be determined by Standard Methods;
  - s) **“Professional Engineer”** means a registered member in good standing of the Association of Professional Engineers of Nova Scotia;
  - t) **“Provincial Regulations”** means the requirements and provisions of the Province of Nova Scotia contained in any Provincial Statute or in any lawful Regulation or Order made pursuant to the authority of any Statute of Nova Scotia;
  - u) **“Sanitary Sewer”** means a sewer for the collection and transmission of domestic, commercial and industrial wastewater or any combination of them, and to which uncontaminated or cooling water, storm water, surface water or groundwater are not intentionally admitted;
  - v) **“Pollution Prevention”** means the use of processes, practices, materials, products or energy that avoid or minimize the creation of pollutants and waste, and reduce overall risk to human health or the environment;
  - w) **“Sewer”** means a pipe, conduit or drain used for the collection and transmission of wastewater, stormwater, or uncontaminated process or cooling water;
  - x) **“Sanitary Sewerage System”** means all pipes, mains, equipment, buildings and structures for collecting, pumping or treatment of wastewater, operated by the “Municipality”, but does not include a storm sewer;
  - y) **“Storm Sewerage System”** means all pipes, mains, equipment, buildings and structures for collecting or pumping of stormwater, but does not include sanitary sewerage system.
  - z) **“Standard Methods for the Examination of Water and Wastewater”** (herein referred to as **“Standard Methods”**) means the analytical and examination procedures provided in the edition current at the time of testing, published jointly by the American Public Health Association and the American Water Works

- Association or any publication by or under the authority of the Canadian Standards Association deemed appropriate by the Municipality;
- aa) **“Storm Sewer”** means a sewer and all related structures designed exclusively for the collection and transmission of uncontaminated water, or stormwater, or drainage from land or from any watercourse or any combination of them;
  - ab) **“Public Sewer”** shall mean a sewer which is located on public property and which is owned and maintained by the Municipality of the County of Antigonish;
  - ac) **“Building Sewer Connection”** shall mean a sewer which is located on private property and which connects the building drainage system or the building sanitary conveniences to the sanitary sewer, storm sewer or combined sewer or other place of disposal;
  - ad) **“Natural Outlet”** means any outlet into a ravine, gulch, water course or bed thereof, whether the same usually contains water or not, or any stream, river creek, ditch, lake or other body or surface of groundwater;
  - ae) **“Private Sewage Disposal System”** means any private septic system for sewage disposal serving one or more lots of real property;
  - af) **“Stormwater”** means runoff water from rainfall or other natural precipitation, groundwater or water from the melting of snow or ice and includes roof drainage or footing drainage;
  - ag) **“Suspended Solids”** means insoluble matter that can be removed by filtration through a standard glass fibre filter as provided by “Standard Methods”;
  - ah) **“True Color Units”** means the measure of the color of the water from which turbidity has been removed;
  - ai) **“Uncontaminated Water”** means any water, including water from a public or private water works, to which no matter has been added as a consequence or its use, or to modify its use, by any person, and may include cooling water;
  - aj) **“Waste”** means any material discharged into the sewerage system;
  - ak) **“Wastewater”** means any liquid waste containing animal, vegetable, mineral, or chemical matter in solution or suspension carried from any premises;
  - al) **“Watercourse”** means the bed and shore of every river, stream, lake, creek, pond, spring, lagoon, swamp, marsh, wetland, ravine, gulch or other natural body of water and the water therein, and any channel, ditch, reservoir, drain, land drainage works or other man-made surface feature, whether it contains or conveys water or not;

### **REQUIRED USE OF SEWERS**

#### **3.1 Disposal of Waste:**

No person shall discharge matter of any type or at any temperature or in any quantity which may be or may become a health or safety hazard to any employee of the Municipality, or which may be or may become harmful to a sewerage system or which may cause the sewerage system effluent to contravene any requirements of any applicable federal or provincial legislation, or which may interfere with the proper operation of a sewerage system, or which may impair or interfere with any sewage treatment process, or which is or may result in a hazard to any person, animal, property, or vegetarian.

**3.2 Discharges to Sanitary Sewers:**

Except as otherwise provided in this By-Law, no person shall discharge, release, suffer or cause to be discharged into any sanitary sewer, combined sewer, public or private connections to any sanitary sewer or combined sewer any of the following:

- a) Matter of a type or quantity that has emitted or may emit a toxic or poisonous vapour or a chemical odour that may interfere with the proper operation of the sewerage system, constitute a hazard to humans, animals or property, or create any hazards or become harmful in the receiving waters or the sewerage system;
- b) Noxious or malodorous gases or substances capable of creating a public nuisance except human wastes, including, but not limited to, hydrogen sulphide, mercaptans, carbon disulphide, other reduced sulphur compounds, amines and ammonia;
- c) Ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood or other solid or viscous substances capable of causing obstructions to the flow of sewers or other interference with the proper operation of the sewerage system;
- d) Wastewater which consists of two or more separate liquid layers;
- e) Paunch manure or intestinal contents from horses, cattle, sheep or swine, hog bristles, pig hooves or toenails, animal intestines or stomach casings, bones, hides or parts thereof, animal manure of any kind, poultry entrails, heads, feet or feathers, eggshells, fleshing and hair resulting from tanning operations.
- f) Animal fat or flesh in particles larger than will pass through a quarter (1/4) inch screen;
- g) Gasoline, benzene, naphtha, fuel oil or other flammable or explosive matter or wastewater containing any of these in any quantity;
- h) Waste which, either by itself or upon the reaction with other material, becomes highly colored;
- i) Wastes containing herbicides, pesticides or xenobiotics including, but not limited to, polychlorinated biphenols (PCB's);
- j) Atomic wastes and radioactive materials except as may be permitted under the Atomic Energy Control Act (Canada) currently in force and regulations thereunder;
- k) Wastewater or uncontaminated water having a temperature in excess of sixty (60) degrees Celsius;
- l) Wastewater having a pH less than 5.5 or greater than 9.5 or having any other corrosive or scale forming properties capable of causing damage of hazards to the sewerage system or personnel of the Municipality;
- m) Matter of any type or any temperature or in any quantity which may cause the sludge from the sewerage system to fail to meet the criteria relating the contaminants for spreading the sludge on agricultural lands, under Nova Scotia guidelines for sewage sludge utilization on agricultural lands;

- n) Stormwater, water from drainage of roofs or footing drains or land, except structures existing prior to the approval of this bylaw, or water from a watercourse or uncontaminated water;
- o) Sewage containing dyes or coloring materials that pass through a sewage works and discolor the sewage works effluent;
- p) Wastewater containing any of the following in excess of the indicated concentrations:
- |  |                       |
|--|-----------------------|
| Aluminum (Al)                            | 50 Milligrams/Litre   |
| Antimony (Sb)                            | 5 Milligrams/Litre    |
| Arsenic (As)                             | 1 Milligram/Litre     |
| Barium (Ba)                              | 5 Milligrams/Litre    |
| Benzene (C <sub>6</sub> H <sub>6</sub> ) | 0.01 Milligrams/Litre |
| Beryllium (Be)                           | 5 Milligrams/Litre    |
| Bismuth (Bi)                             | 5 Milligrams/Litre    |
| Cadmium (Cd)                             | 1 Milligram/Litre     |
| Chlorides expressed as Cl                | 1500 Milligrams/Litre |
| Chromium (Cr)                            | 2 Milligrams/Litre    |
| Cobalt (Co)                              | 5 Milligrams/Litre    |
| Copper (Cu)                              | 1 Milligram/Litre     |
| Cyanide expressed as HCN                 | 2 Milligrams/Litre    |
| Fluorides expressed as F                 | 10 Milligrams/Litre   |
| Iron (Fe)                                | 50 Milligrams/Litre   |
| Lead (Pb)                                | 2 Milligrams/Litre    |
| Manganese (Mn)                           | 5 Milligrams/Litre    |
| Mercury (Hg)                             | 0.01 Milligram/Litre  |
| Molybdenum (Mo)                          | 5 Milligrams/Litre    |
| Nickel (Ni)                              | 2 Milligrams/Litre    |
| Phenolic Compounds                       | 1 Milligram/Litre     |
| Phosphorus (P)                           | 10 Milligrams/Litre   |
| Sulphates expressed as SO <sub>4</sub>   | 1500 Milligrams/Litre |
| Sulphide expressed as H <sub>2</sub> S   | 2 Milligrams/Litre    |
| Selenium (Se)                            | 5 Milligrams/Litre    |
| Silver (Ag)                              | 2 Milligrams/Litre    |
| Tin (Sn)                                 | 5 Milligrams/Litre    |
| Zinc (Zn)                                | 2 Milligrams/Litre    |
- q) Wastewater of which the BOD exceeds three hundred (300) milligrams per litre;
- r) Wastewater containing more than three hundred fifty (350) milligrams per litre of suspended solids;
- s) Wastewater of which the COD exceeds one thousand (1000) milligrams per litre;
- t) Wastewater containing more than one hundred (100) milligrams per litre of non-petroleum-derived fat, grease, or oil, and, in the case of petroleum derived mineral oils, in concentrations exceeding fifteen (15) milligrams per litre;
- u) Any matter in such quantities which exert excessive chlorine requirements so as to constitute a significant load on the

wastewater treatment works greater than 1500 milligrams per litre;

- v) Wastewater containing fish offal or pathologic wastes;
- w) Septic tank sludge, wastes from marine vessels or vehicles or sludge from sewage treatment plants;
- x) Any waters or wastes containing substances for which special treatment or disposal practices are required by applicable provincial or federal legislation.

- 3.3 No person shall connect a sump pump to a public sanitary sewer.
- 3.4 The presence in wastewater of any one of the matters in section 3.2 in a concentration in excess of its limits constitutes a separate offence.
- 3.5 Compliance with any limit is not attainable simply by dilution.
- 3.6 It shall be unlawful to discharge to any natural outlet within the Municipality or in any area under the jurisdiction of the said Municipal Council any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provision of this By-Law.
- 3.7 The owner of a building, shop, store, office, the nearest part of which is not more than one hundred (100) feet from any portion of a public sewer shall be required at the owner's expense to construct a building sewer connection therefrom and connect the same to the said public sewer in accordance with the provisions of this By-Law. The construction of the required building sewer and the connecting of same to the public sewer must be fully completed within one hundred and twenty (120) days after the date of the receipt of written notice from the Municipality to do so.
- 3.8 No person, firm or corporation shall damage, break or remove any portion of the public sewage system, or its appurtenances.
- 3.9 Without limiting any of the foregoing, no person shall discharge or cause to be discharged any waters or wastes containing substances which are amenable to treatment or reduction through the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the federal and provincial requirements.
- 3.10 If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters or wastes contain or possess the characteristics enumerated in section 3.2 of this By-Law, the Engineer may do any or all of the following:
  - a) Reject the wastes;
  - b) Require pretreatment to an acceptable level before discharge to the public sewers;
  - c) Require control over the quantities and rates of discharge;

- d) Require payment from the party responsible for the discharge to cover the added cost of handling and treating the wastes not covered by existing taxes or sewage charges.
- 3.11 If the Engineer requires the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Engineer as well as subject to the requirements of all applicable codes, ordinances, laws and regulations.
- 3.12 Grease, oil, and sand interceptors shall be provided when, in the opinion of the Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any inflammable wastes, sand and all other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Engineer and shall be located as to be readily and easily accessible for cleaning and inspection.
- 3.13 Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, all facilities shall be maintained continuously so as to assure their effective operation. All costs associated with such facilities and their maintenance shall be the sole responsibility of the person responsible for discharging to the sewer.
- 3.14 The provisions contained herein shall not be construed so as to prevent any special agreement or arrangements between the Council and any industrial concern or institution whereby an industrial or institutional waste of unusual strength or character may be accepted by the Council, for treatment subject to payment thereof by the Industrial concern.
- 3.15 **Discharge to Storm Sewers:**  
Except as otherwise provided in this By-Law, no person shall discharge, release, place or cause to be placed, any substance other than stormwater or uncontaminated water into a storm sewer.

#### **BUILDING SEWERS AND CONNECTIONS**

- 4.1 No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a permit from the Municipality. The property owner seeking such a permit shall make application on a form furnished by the Municipality, which form shall have the content as given in Schedule "B" of this By-Law. The permit application shall be supplemented by plans, specifications and other information as deemed necessary by the Engineer.
- 4.2 (a) No connection to a municipal sewer shall be made except under the supervision of the Engineer or a representative of the Municipality.

- (b) No connection to a public sewer shall be covered until it has been inspected and approved by the Engineer or a representative of the Municipality.
- 4.3 Every person connecting to a public sewerage system shall construct the connection according to requirements of the National Building and Plumbing Codes in force at the time of such connection.
- 4.4 No person shall connect any storm sewer to any public sanitary sewer.
- 4.5 Where a building has been connected to the public sewerage system or the Municipality has ordered, in writing, a building to be so connected, the Engineer may order the owners of outhouses or private sewage disposal systems to remove such outhouses and to destroy or fill such private sewage disposal systems within ninety (90) days of the giving of such order.
- 4.6 Applications for connection to a public sewer system shall be made in writing to the Municipality and shall be accompanied by a fee of two hundred dollars (\$200.00). The Applicant/Owner shall further indemnify the Municipality from any loss or damage that may be directly or indirectly occasioned by the installation, connection, maintenance or repair of the building sewer connection.
- 4.7 It shall be the duty of any person, firm or corporation who constructs any private sewer or building sewer connection, to securely protect the opening or excavation in accordance with the Nova Scotia Occupational Health and Safety Act and the Nova Scotia Department of Labour Regulations.
- 4.8
  - (a) Applications for building sewer permits shall be made to the Engineer
  - (b) Building Sewer Connection permits shall be valid only when signed by the Engineer
- 4.9 A separate and independent building sewer shall be provided for every building, except where, in the opinion of the Engineer, it is impractical or un-economical to do so. Where a building sewer connection is to serve more than one building or property, the Engineer may prescribe terms and conditions, respecting right-of-ways, easements and access that are reasonable in the circumstances.
- 4.10 Existing building sewers may be used in connection with new buildings only when they are found on examination and testing to be adequate to meet all the requirements of this By-Law.
- 4.11 In the connection of a building sewer connection, the size, slope, alignment, materials of construction of the building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, backfilling the trench, and connection to the public sewer shall all conform to the requirements set out by the Municipality as approved by the Engineer.

- 4.12 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which the building sewer connection is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by an approved means and discharged by the building sewer connection to the public sewer system. In no case shall the average depth of a public sewer main on public property be more than 3.65 meters below grade for the purpose only of accommodating a gravity flow from a building sewer connection.
- 4.13 The person who originally made application for the building sewer connection permit shall notify the Engineer when the building sewer is ready for inspection and connection to the public sewer.
- 4.14 All work associated with the construction of a building sewer connection shall be performed under the supervision of an Engineer.

#### **APPLICATION TO CONNECT**

- 5.1 The construction and installation of any building service connection shall be conducted subject to the inspection and review by the Engineer and in accordance with the specifications for labour and materials. Specifications for any such building service connection, modified, however, so as to be applicable to the building or buildings situate on the property to be served by such building service connection.
- 5.2 (a) Whenever any building sewer connection is abandoned, the owner shall effectively cap the connection at the property line so as to prevent sewage from backing up into the soil, or dirt being washed into the public sewer.
- (b) Where the owner does not effectively cap a building sewer connection as required under the provisions of subsection 5.2(a) within thirty (30) days from receipt of a notice from the Engineer requiring him to do so, the Council may cause the same to be done and the cost of such work caused to be done by the Council may be recovered as a debt by the Municipality from the owner in an action in any court of competent jurisdiction.

#### **POWERS AND AUTHORITY OF THE ENGINEER**

- 6.1 The Engineer of the Municipality shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of the By-Law.
- 6.2 The owner or operator of industrial premises with one or more connections to a sewage system shall install and maintain in good repair a suitable manhole at

each connection to allow observation and sampling of the wastewater and measurement of the flow of wastewater therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the written approval of the Engineer.

- 6.3 The manhole or alternate device shall be located on the property of the owner or operator of the premises, unless the Engineer has given written approval for a different location.
- 6.4 Every manhole, device or facility installed as required by subsection 6.2 shall be designed and constructed in accordance with the sound engineering practice and the requirements of the standard specifications for municipal services, and shall be constructed and maintained by the owner or operator of the premises at his expense.
- 6.5 The owner or operator of industrial premises shall, at all times, ensure that every manhole, device or facility installed as required by subsection 6.2 is at all times measuring the flow of wastewater therein.
- 6.6 Where a sample is required for the purpose of determining the characteristics or contents of the wastewater, uncontaminated water or stormwater to which reference is made in this By-Law:
- a) one sample alone is sufficient and the sample or a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
  - b) except as otherwise specifically provided in this By-Law, all tests, measurements, analyses and examinations of wastewater, uncontaminated water and stormwater, shall be carried out in accordance with the Atlantic Canada Wastewater Guidelines Manual; and
  - c) for each of the metals whose concentration is limited in this By-Law, the analysis shall be for the concentration of total metal, which includes all metal both dissolved and particulate.
- 6.7 Where testing of a sample is required for the purpose of determining the characteristics of contents of the wastewater, uncontaminated water or stormwater to which reference is made in this By-Law, said testing shall be conducted in accordance with the method hereinafter described or by mechanical sampling devices:
- 6.8 **Method of Sampling and Analysis:**
- (a) A minimum of seven (7) grab samples shall be taken, one (1) each day at different days in any thirty (30) day period;
  - (b) Analyses shall be conducted separately on each day grab sample;
  - (c) The final results of these tests shall be averaged for this period to determine the characteristics and concentration of the effluent being discharged into the sewerage system or storm sewer system.

- 6.9 The Engineer may, from time to time, conduct such tests as are deemed necessary at the manhole, or may enter the industrial premises and conduct the tests as deemed necessary.

### **SPILLS**

- 7.1 Every person who discharges or deposits or causes or permits the discharge or deposit of any matter in any public sewer that in nature or quantity is unusual or extraordinary shall immediately notify the Municipality.
- 7.2 For any of the discharges in subsection 7.1 for which the person is required to immediately notify the Municipality, the notification shall include the following information:
- a) name of the company and the address of location of spill;
  - b) name of person reporting the spill and telephone number where that person can be reached;
  - c) time of the spill;
  - d) type and volume of material discharged and any potential hazards; and
  - e) corrective actions being taken to control the spill.
- 7.3 Within five days of a spill, the person responsible for the spill shall submit to the Municipality, a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence.

### **REPORTS**

- 8.1 Any person who deposits, intends to deposit or permits or intends to permit the deposit of any wastes except domestic wastes into a sanitary shall file a Waste Survey Report with the Municipality.
- 8.2 The Waste Survey Report shall contain the following information and shall be signed by an authorized representative of the owner or operator;
- a) name and address of the premises, and names of its owner and operator;
  - b) description of process operations, including waste discharge rates and contaminant concentrations, hours of operation and plans and reports certified by a professional engineer indicating proposed industrial expansion, addition, new construction, or proposed pre-treatment works; and
  - c) a schematic process diagram indicating waste discharge points and waste descriptions.
- 8.3 Where a change occurs in any information described in a Waste Survey Report, the owner or operator of the premises shall submit a new Waste Survey Report settling out the changes.

- 8.4 No person shall deposit any wastes other than domestic waste in any sanitary until:
- a) a Waste Survey Report has been filed with the Engineer; and
  - b) the Engineer has confirmed, in writing, that the wastes will comply with the requirements of this By-Law.
- 8.5 As and when the Engineer deems it necessary, any user of the public sewerage system may be required to enter into a compliance program and to thereafter submit a letter of compliance.
- 8.6 A person, to whom a compliance program has been issued, shall not be prosecuted under this By-Law so long as the compliance program is being fully complied with.

#### **SEWER CHARGES**

- 9.1 Every owner of land on which any building is connected to a public sewer system, or on which a building is situate that the Engineer has ordered connection to a public sewer system, shall pay, to the Municipality, an annual Sewer Service Charge.
- 9.2 Equivalent User Units are set out in Schedule "A" of this By-Law. Each user property connected to the public sewer system shall be assigned an Equivalent User Unit by the Municipality and it shall be the responsibility of the property owner to ensure that the Municipality is notified of any changes that affect the Equivalent User Unit.
- 9.3 The annual sewer service charge for an Equivalent User Unit of 1.0, as referred to in Schedule "A", shall be determined annually by Municipal Council.
- 9.4 The sewer service charge shall be due and payable 30 days after billing.
- 9.5 The sewer service charge, if not paid by due date, shall bear interest at the same rate as charged on unpaid taxes.
- 9.6 The sewer service charge is a lien on the whole of the property subject to the sewer charge and may be collected in the same manner and with the same effect as unpaid rates and taxes under the Assessment Act.
- 9.7 Unpaid sewer service charges and interest thereon may be collected in the same manner as other rates and taxes.
- 9.8 Any real property in respect of which there are unpaid sewer service charges is liable to be sold in the same manner as is provided for the sale of land for unpaid rates and taxes pursuant to the Assessment Act.

- 9.9 Every person connecting to the public sewer system shall pay the building sewer connection charge therefor as may from time to time be set by the Municipality of the County of Antigonish.
- 9.10 The sewer connection charge shall constitute a lien on the real property being serviced and this charge includes interest thereon may be collected in the same manner as the sewer service charge.
- 9.11 The Municipality is not responsible for any part of a building sewer connection that is not on a public street, highway or sewer easement.

#### **OFFENSES**

- 10.1 Any person who contravenes any section of this By-Law is liable on conviction to a penalty of not less than \$100.00 and not more than \$1,000.00 and in default of payment to imprisonment for a term of not more than ninety (90) days.

#### **VOLUNTARY PAYMENT**

- 11.1 A person who is alleged to have violated this By-Law and where the notice so provides, may pay a penalty in the amount of \$100.00 to the Municipality provided that said payment is made within a period of fourteen (14) days following the day on which the alleged violation was committed and where the said notice so provides for a voluntary payment, said payment shall be in full satisfaction, releasing and discharging all penalties incurred by the person for said violation.

#### **REPEAL**

- 12.1 The By-Law Respecting the Regulation of Discharges to the Public Sewer Systems of the Municipality of the County of Antigonish adopted by the Council of the Municipality of the County of Antigonish on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, is hereby repealed.

**THIS IS TO CERTIFY THAT** the foregoing By- Law was passed at a duly called meeting of the Council of the Municipality of the County of Antigonish held on the \_\_\_ day of \_\_\_\_\_,

**GIVEN** under the hands of the Warden and Clerk and the seal of the Municipality this \_\_\_ day of \_\_\_\_\_,

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**WARDEN**

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**CLERK**

**Schedule "A"**

TYPE OF USER	NUMBER OF EQUIVALENT USER UNITS
Single Family Dwelling	1.0
For each doctor or dentist in a private home, add	1.0
For each beauty or barber shop in a private home, add	0.75
Mobile Home	1.0
Individual Apartment	1.0
Senior Citizen's Home, per unit	0.6
Hospitals and Homes with Medical Care Facilities without laundry facilities, per bed	0.5
With laundry facilities, per bed	0.75
Schools, per classroom, without cafeteria or gym	1.0
With cafeteria or gym	1.5
With second gym, add	0.5
With both cafeteria and gym	2.0
Doctor's Office, Dentist's Office, Beauty or Barber Shop	1.0
Tourist Trailer Park with hook-up facilities, dump station	1.0
Per space	0.75
Each additional bathroom	0.3
Hotels, Motels, and Tourist Cottages with housekeeping facilities, per room or unit	0.5
Without housekeeping facilities, per room or unit	0.3
With a swimming pool, add	1.0
Tourist Home/Bed and Breakfast with one bathroom	1.2
Each additional bathroom, add	0.3
Churches, Church Halls, each washroom facility	0.3
Buildings owned by Fraternal Organizations, Clubs, Halls, each washroom facility	0.3
Fire Halls and Fire Stations with washroom facilities	1.0
Laundromat	1.0
Each machine, add	0.5
Service Stations with washroom facilities	1.0
With dump station	1.0
Car Wash Facilities, each bay	1.0
Restaurant, Cafeteria, Snack Bar	2.0
Premises licensed by Nova Scotia Liquor Commission:	
Restaurant, Lounge, Dining Room or Club	2.0
Shopping Centres, Grocery Stores, Manufacturing & Processing, other larger	
Metal Outlets, Restaurants with more than 20 seats (per sq. ft. of floor area)	13¢
Retail Outlets (ie; clothing stores, rent-all, home decorating), Car Dealerships,	
Heavy Commercial, Industrial, Furniture Stores, Office Buildings, Warehouses	
with washroom facilities (per sq. ft. of floor area)	10¢