

AGENDA

1. CALL TO ORDER
2. APPROVAL OF THE AGENDA
3. MINUTES
 - 3.1 Council Meeting – September 18, 2023
 - 3.2 Special Council Meeting – October 3, 2023

4. ANYTHING BY CITIZENS

Procedure: A thirty-minute time period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two-minute time period provided there is time remaining within the thirty-minute “Anything by Citizens” time period.

5. NEW BUSINESS
 - 5.1 Committee of the Whole Recommendations
 - a. RFD 043-2023 Noise Bylaw – CAO
 - b. RFD 056-2023 IMSA Annapolis REMO – CAO
 - c. RFD 057-2023 Hospitality Policy – CAO
 - d. RFD 058-2023 Travel Expense Policy – CAO
 - 5.2 RFD 059-2023 Application to Keep Backyard Chickens – CAO
 - 5.3 RFD 060-2023 Application for a Secondary Planning Strategy – CAO
 - 5.4 Accessibility Committee Workplan Priorities – Councillor Fair

6. REPORTS

- 6.1 Management Report – CAO
- 6.2 Middleton Fire Department Dispatch Report for September – CAO
- 6.3 Accessibility Advisory Committee Oct 10/23 DRAFT Minutes – Councillor Fair
- 6.4 Annapolis County Inter-Municipal Working Group Sep 21/23 DRAFT Minutes – Councillor LeBlanc
- 6.5 Audit Committee Oct 3/23 DRAFT Minutes – Councillor Fair
- 6.6 Police Advisory Board Oct 10/23 DRAFT minutes – Deputy Mayor Smith
- 6.7 IMSA Board – Sept 20/23 DRAFT Minutes – Mayor Atkinson
- 6.8 REMO Advisory Committee Sep 25/23 DRAFT Minutes – Councillor Marshall
- 6.9 Mayor

7. ANTHING BY MEMBERS

8. ADJOURNMENT

From: >

Date: October 2, 2023 at 8:15:38 PM ADT

To: Sylvester Atkinson <SAtkinson@town.middleton.ns.ca>, Gail Smith <GSmith@town.middleton.ns.ca>, Bernadette Knapp <BKnapp@town.middleton.ns.ca>, Michael Fairn <MFairn@town.middleton.ns.ca>, Gary Marshall <GMarshall@town.middleton.ns.ca>, John Bartlett <jbartlett@town.middleton.ns.ca>, Chad LeBlanc <CLeBlanc@town.middleton.ns.ca>

Subject: Fixing an irritating problem

Respected members of Town Council.

<https://www.saltwire.com/atlantic-canada/opinion/regional-perspectives/tom-urbaniak-we-need-to-talk-about-atv-lawlessness-in-the-cape-breton-regional-municipality-and-beyond-100874655/>

The above Saltwire article on the situation in Cape Breton can be neatly transposed to Middleton. Living close to the rail trail we often have *NOISY* unlicensed ATV's and dirt bikes speeding and gunning their engine down the middle of School Street. It's also unsafe....not only the speeding, but I've seen them pulling wheelies on this quiet residential street where children play.

The rail trail's surface is a complete mess. The ATVs and dirt bikes have made it basically unusable to walkers and bicycles that have to contend with uneven and unstable footing, muddy puddles, the noise and choking dust, the rudeness.

It would have popular town support to ban them from the rail trail. Make it only for walkers and bicycles. Consider including the spurline that crosses Annapolis River to Nictaux to make a loop incorporating Bridge Street and passing by Riverside Park. Maybe the community of Nictaux would enjoy a pleasant walking path and they'd extend the ban of motorized vehicles from their rail trail which goes thru the heart of their community.

Wolfville to Waterville currently has a welcoming 'people powered' rail trail---no motorized vehicles permitted. Consider liaising with adjacent communities to extend the ban of motorized vehicles to Bridgetown. I am positive this would be hugely popular with the public as more and more people strive to be fitter.

Imagine how much more welcoming the newly renovated Railway Museum would be with a pedestrian walkway passing immediately in front of it.

Thank you for examining this issue.

Hear ye. Hear ye!....Good afternoon respected team of Town Hall.

I was in Carmen Kerr's constituency office today and even they are receiving many irate complaints about ATVs and trailbikes. People-powered and motor-powered vehicles are not the same. One is harmless to the environment while the other damages and terrorizes the community.

--Many ATV and trailbike enthusiasts are respectful of the people-power crowd, but many are rude. They rapidly approach joggers, cyclists, and friends enjoying the trail, enveloping them in a cloud of dust. Once past they accelerate leaving the unfortunates gagging in a dust bowl.

--ATVs and trailbikes damage the environment by trampling vegetation and compacting the soil; further damage the vegetation next to the trail by raising dust which settles on the leaves; create large puddles of contaminated water; pollute the air with high CO2 emissions and noise; cause wildlife to abandon the area, and more.

--- Sharing the same trail: people-power may result in long conversations and an occasional burst of laughter accompanied by muted bird calls; motor-power is often a cacophony of deafening engines, sometimes accompanied by blaring music. Wildlife suffers and flees. The two are not compatible.

We Want Our Trail Back!

People of all ages enjoy walking in nature in a safe place away from cars and houses---doubly so for the older crowd and those confined to battery-operated wheelchairs. The inhabitants of the town are envious, feeling shut out from the inviting but unsafe Harvest Moon Trail in their midst. Many people are very annoyed with loud motor-powered vehicles running roughshod in the very heart of their community.

Please take action to make the rail trail the potential tremendous asset it could be. I envisage several looping walking trails highlighting points of interest---the old metal bridge with a lovely vantage point overlooking the Annapolis River; the new Marsh Trail; Riverside Park; the old swimming hole; various restaurants, the two museums, commercial establishments and more.

A VISION FOR MIDDLETON

Hopefully, the Town can soon consider making Commercial St. between Main St. and Rogi's Cafe a pedestrian-only walkway with covered public benches, outdoor eating, sidewalk sales. Wouldn't it be a lovely spot for the weekly market, each stall with a large rain/sunshade umbrella of the same unifying color? I have experienced pedestrian-only streets in many places in Mexico and they are very welcoming, bustling with crowds. We'd be proud to have one of the first eco-friendly town centers in the valley which would draw admiration and increase revenues.

There are no motorized vehicles allowed on the Harvest Moon Trail all the way from Grand Prè to Cambridge. If the town councils in Wolfville, Kentville and Annapolis Royal and the villages of New Minas and Cambridge can ban motorized vehicles from their trail, we can do it too. In these places it is common to see ATVs/trailbikes use the sides of highway 101. Let ATVs/trailbikes use it to go around Middleton (at least until the whole stretch from Grand Prè to Annapolis Royal is motor-free).

Kerr's office said that if the switch to a people-powered trail is too great for the Town to bear, the Province would possibly support Middleton financially for signage and barriers at entry points and along the trail, and other costs. The government of Nova Scotia is currently enacting more stringent laws to reduce carbon emissions and is promoting active living to get people out of vehicles to improve the environment and health.

Do you have children or grandchildren---what kind of world do you want to pass on to them?

Daniel Poirier

Dear Council Members

Reference: Middleton Bylaw, Chapter 54, Orderly and Peaceful Conduct, Schedule A, Part 1-1.

It is my sincere hope in writing this letter that you will find the resources to address problems that are occurring on Commercial Street, specifically between Bentley Drive and Junction Road.

Street racing is continuing to rise disrupting our neighborhoods and putting the lives of pedestrians, cyclists, pets and children at serious risk. While I perhaps naively assume that most people are literate, an appalling number of drivers seem to be ignorant of the "50 Kph" and School District signs posted clearly throughout the neighborhood.

The "Speed Alert Radar Message Sign" town set up in front of 255 Commercial Street has so far been ineffective. In fact, it only seems to serve as a motivation for many drivers to see how fast they can go over the posted 50 Kph limit.

The noise from modified vehicle mufflers is also continuing to rise and is becoming quite frustrating to not only my neighborhood but many others in the town as well.

I propose that you introduce obstacles into this drag strip. A well-placed speed bump would mean they might leave their transmissions behind in addition to the loud mufflers. Of course, they should be able to be removed for winter road cleaning etc. These are just suggestions. More police patrol cars on occasion would probably work just as well and they definitely have my approval to use my driveway to sit and monitor the traffic.

It is my hope that the town council will address this issue and help to ensure that those participating in this disruptive and dangerous behavior are held accountable so that our community can once again become a safer and more enjoyable town for everyone.

Thank you,

Sincerely
David Moody

Ashley Crocker, CAO
Town of Middleton
October 11, 2023

Dear Ashley,

I am writing to you in support of a letter you received from Daniel Poirier regarding the use and maintenance of the Town of Middleton section of the Harvest Moon Trail, the Western Spur line, and South Shore Spur line.

It has been my pleasure over the past several years to bicycle the Harvest Moon Trail from Annapolis Royal to Kentville, and to walk sections between Kentville and Grand Pre. While much of the trail is well maintained and truly a pleasure to ride, walk, and enjoy the natural environment, there are notable exceptions. Unfortunately, the sections leading into, through, and away from the Town of Middleton are notable exceptions.

Over the past several years, maintenance of the Middleton section has progressively deteriorated. Several years ago I saw young families with babies in strollers, kids in bike carts, walkers and hikers, people riding horses, people of all ages enjoying fresh air, exercise, and companionship.

We now have a trail totally impassable to families with babies, a trail that is unstable for walkers and challenging for bicyclists.

Currently, motorized vehicles using the trail are creating multiple issues, including destruction of the trail surface resulting from the heavy tread of the tires digging into the trail surface, tire spinning--- especially at highway crossings---and the creation and expansion of potholes and mud holes. Some of the motorized vehicles are very noisy, creating a major disturbance to wildlife in Environmentally Sensitive Areas (ESAs) of the Town and to people visiting the wetlands park enjoying the peace, as well as visiting bird watchers. The noise, fossil fuel pollution, and where the South Shore Spur line passes through the ESA, the destruction of habitat, is certainly not conducive to good wildlife and natural habitat management.

The excessive noise and stunting of motorized vehicles on the trails and the ease of access to all Town streets creates an unpleasant environment for people living both along the trails and adjacent streets frequented by motorized vehicle drivers.

This situation does not present the Town of Middleton in a very favorable light.

There are various options available which may be very affordable to help the Town recover control of the management of this potentially profitable resource within the Town. These include, but certainly not limited to, the following:

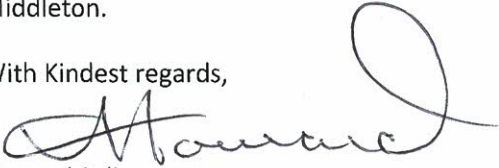
- Restore control of the sections of trail within Town limits by promoting the trail as a multi-use asset, welcoming to all forms of non-motorized use;
- Restore respect from and toward all users of the trails;
- Discontinue permission for the use of motorized vehicles near and through ESAs by designating and marking streets within the Town where motorized vehicles are permitted to travel, in accordance with the recently enacted Road Trails Act (2023);

- Maintain the trails as a Town commitment to a shared, healthy, active living asset with the potential to attract people into the Town, giving people access to the services of the Business community, and the learning and recreational opportunities that Museums, and Parks offer;
- Maintain the trail surface as a healthy, active-living multi-use trail;
- Welcome visitors to Middleton's trails with signage and rest areas and thank them for their visit as they leave.

Please consider returning control of these valuable assets to all citizens in the Town through a commitment by Council to the many people that would like to use these trails as a significant component of our truly exceptional parks and recreational multi-use, healthy, active-living asset.

Thank you for your time and consideration of this important issue I raise in support of concerned citizens who wish for progressive, inclusive management of the Harvest Moon Trail within the Town of Middleton.

With Kindest regards,

A handwritten signature in black ink, appearing to read "Howard Selig". The signature is fluid and cursive, with a large loop at the end.

Howard Selig

CC

Town of Middleton Mayor and Council

Andrew Kerr, Director Parks, Recreation, and Business Development

Amy Holloway, Middletown Area Business Association

Daniel Poirier, and other concerned citizens and taxpayers in the Town of Middleton

**REQUEST FOR DECISION
NOISE BYLAW
RFD#: 043-2023**



To: COTW and Town Council
From: Ashley Crocker, CAO
Date: October 3, 2023 and October 16, 2023
Subject: Noise Bylaw

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Orderly and Peaceful Conduct Bylaw
- Draft Noise Bylaw

Recommendation

That Council give first reading of the draft Noise Bylaw, and that Council Set the date for the Public Hearing and Second Reading as November 20, 2023.

Background

The current Orderly and Peaceful Conduct Bylaw is outdated and doesn't meet the needs of the Town. It contains sections regarding begging, unruly, and loitering which could be interpreted as bias towards youth, homeless/at-risk of homelessness, persons living with mental illness or other mental health conditions. Complaints related specifically to noise have been received by the Town.

The chart on the next page outlines the changes from the Orderly and Peaceful Conduct Bylaw to the newly proposed Noise Bylaw.

**REQUEST FOR DECISION
NOISE BYLAW
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Removed	Rationale	Added/Changed
Begging, Loitering, Unruly Behavior	Little to no reported occurrence Removes negative bias	n/a
Sleeping in tents in parks or on park benches	Removes negative bias	n/a
Fires/campfires in public places	Covered under Fire Safety Act and Outdoor Fire Bylaw	n/a
Defacing, damaging, or destroying of public property	Covered under Protection of Property Act	n/a
Prohibited Times Mon to Sat: Before 7:00 am and after 9:30 pm	Updated to reflect standard across most jurisdictions	Before 7:00 am and after 11:00 pm
Prohibited Times Sun and Statutory Holidays: 'at all times'	Updated to reflect standard across most jurisdictions	Before 7:00 am and after 11:00 pm
n/a	Updated with appropriate language	Updated appendices for proscribed activities
n/a	Updated with appropriate language	Updated appendix applications for grants of exception
n/a	Common in other jurisdictions. Gives bylaw officer/police officer some measure of actual noise level. Would require that the Town or the RCMP have a weighted decibel meter unit when responding to noise complaints	Included decibel levels
n/a	Common in other jurisdictions	Appendix specific to discharge of any type of firearm and fireworks
n/a	Common in other jurisdictions	Appendix specific to blasting permit

**REQUEST FOR DECISION
NOISE BYLAW
RFD#: 043-2023**



Financial Implications

N/A

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
X	Environment	Can help to minimize excessive noise thereby creating conditions favorable to wildlife/habitat
	Infrastructure	
	Economy	
X	Community	Can help to minimize excessive noise thereby creating more welcoming environment/neighborhood
	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

Bylaw approval requires opportunity for public input during the reading process.

CAO Comments

The CAO supports the creation of an updated Noise Bylaw.

CAO Initials: AC

Target Decision Date: 16 October 2023

CHAPTER 54
TOWN OF MIDDLETON
ORDERLY AND PEACEFUL CONDUCT BYLAW

BE IT ENACTED by the Council of the Town of Middleton as follows:

Short Title

1. This Bylaw shall be known as --- *Orderly and Peaceful Conduct Bylaw*--- and may be cited as the "*Orderly Conduct Bylaw*".

Interpretation

2. In this Bylaw:
 - (a) "**begging**" means soliciting or requesting a donation and includes providing a service without receiving prior consent in the expectation or hope of obtaining a donation or payment for that service; but does not include passive begging activities (such as busker-type activities) and fundraising activities for non-profit organizations, sports or associations and community groups.
 - (b) "**construction**" includes erection, alteration, repair, dismantling and demolition of structures and includes structural maintenance, hammering, land clearing, moving of earth, rock or felled trees, rock breaking, grading, excavating, the laying of pipe or conduit whether above or below ground level, working with concrete, alteration or installation of any equipment, the structural installation of construction components or materials in any form whatsoever, the placing or removing of any construction related materials and includes any related work, but does not include blasting.
 - (c) "**construction equipment**" means any equipment or device designed and intended for use in construction or material handling including but not limited to air compressors, air tracks, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, backhoes, scrapers, pavers, generators, off-highway haulers or trucks, tree harvesters, ditchers,

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compactors and rollers, pumps, concrete mixers, graders and other material handling equipment.

- (d) **“Council”** means the Council of the Town of Middleton.
- (e) **“loiter”** means to stand idly around or move slowly about or to linger or spend time idly or to impede the passage of other persons so as to bother, irritate or inconvenience the general public or the owner or occupier of the property.
- (f) **“motor vehicle”** includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular, gravitational or wind power.
- (g) **“Town”** means the Town of Middleton.
- (h) **“point of reception”** means any point on the premises of a person where sound, originating from other than those premises, is received.
- (i) **“public address system”** means any system comprised of one or more of the following and in any combination: loudspeaker, amplifier, microphone, turntable, reproducer, receiver or tuner, where such equipment is part of a system used to reproduce or amplify sound.
- (j) **“recreational vehicle”** means any motor vehicle which is designed to be, or intended to be, used other than on a public highway or on the surface of the water and includes, without limiting the generality of the foregoing, all-terrain vehicles, trail bikes and snowmobiles and any off-highway vehicle as defined from time to time in the *Off-Highway Vehicles Act*, but does not include a motor home or travel trailer for the purposes of this Bylaw.
- (k) **“unruly”** means offensive or anti-social behaviors including *inter alia*, yelling or shouting or causing loud noises in any manner, use of profane language, verbal or physical aggression or spitting.

General Prohibition

3. (1) No person shall engage in any activity that unreasonably disturbs the peace and tranquility of a neighborhood.

- (2) No person shall loiter on or around the steps or entrances of any buildings in the Town. No person shall loiter on or around any roads, streets, sidewalks, or walkways in the Town.

- (3) No person shall engage in any unruly conduct that unreasonably interferes with the lawful use and enjoyment of a public place by other persons, and in addition:
 - (a) No person shall light or have a fire in a public place unless authorized by the owner or operator of the property.
 - (b) No person shall camp or tent in a public place unless authorized by the owner or operator of the property.
 - (c) No person shall sleep in a public place after dark unless authorized by the owner or operator of the property.
 - (d) No person shall engage in begging in a public place.
 - (e) No person shall litter or deposit or leave waste in a public place except in a designated waste receptacle.
 - (f) No person shall deface, damage or destroy municipal property in a public place, and in addition to any penalty levied after prosecution for contravention of this provision, the Town may recover the expense incurred in repairing the damage, together with costs and prejudgment interest, by action in any court of competent jurisdiction.

- (4) For the purposes of this Bylaw, the following locations are designated as public places:
 - (a) property owned or operated by the Town.
 - (b) property owned or operated by a community or not-for-profit organization.

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- (c) property owned or operated by a Municipal, Provincial or Federal agency or department and associated organizations.
- (5) Without limiting the generality of subsection (1), the activities listed in **Schedule "A"** during the prohibited times as set out therein are deemed to be activities that unreasonably disturb the peace and tranquility of a neighborhood.
- (6) For the purpose of prosecution pursuant to subsections (1) or (4), evidence that one neighbor is unreasonably disturbed by a noise is prima facie evidence that the neighborhood is unreasonably disturbed by the noise.

Prescribed Exemptions

- 4. (1) Notwithstanding any other provisions of this Bylaw, it shall be lawful to emit or cause or permit the emission of sound in connection with emergency measures undertaken:
 - (a) for the immediate health, safety and/or welfare of the inhabitants of the Town
 - (b) for the preservation or restoration of property for no longer and in no more disturbing a manner than is reasonably necessary for the accomplishment of such emergency purposes.
- (2) Notwithstanding any other provisions of this Bylaw, this Bylaw shall not apply to:
 - (a) The emission of sound in connection with any of the traditional, festive, religious or other activities normally associated with the celebration of Canada Day, Natal Day, New Year's Eve or recognized religious holidays, including parades permitted by law.
 - (b) The emission of sound in connection with any of the following activities:
 - (i) Ringing of bells at places of worship.
 - (ii) Calls to worship.
 - (iii) Ringing of bells at schools and education centers.

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- (iv) Approved activities at Town public parks and recreational facilities.
- (c) Activities of employees of the Town or any public utility or public telecommunications company including Nova Scotia Power Inc. and Maritime Tel & Tel, when acting in the reasonable execution of their duties to maintain, repair or restore services normally provided by them.
- (d) A person or a corporation, or an employee of such person or corporation, reasonably performing work at the request of any party enumerated in clause (c).
- (e) Noises in connection with athletic, recreational, or entertainment activities in municipal park areas, arenas or community centers until one o'clock in the forenoon.
- (f) Noises in relation to annual municipal festivals or municipal activities in municipal parks, municipal arenas or municipal community centers until **one o'clock in the forenoon.**
- (g) Noises in relation to municipal parades, street dances or other community activities until **one o'clock in the forenoon.**
- (h) Noises caused by motor vehicles being used for emergency purposes.
- (i) Noises emitted by municipal owned machinery or equipment when used in the normal course of providing municipal services.
- (j) Noises caused by motor vehicles or workmen engaged in the delivery of any type of fuel.
- (k) Noises emitted by audible pedestrian signals.
- (l) Noises caused by air ambulances.

Local Exemptions

5.

- (1) The operation of any refrigeration unit which is attached to a refrigeration truck if the refrigeration truck is exempt from the prohibitions in this Bylaw if the refrigeration truck is parked in an approved area pursuant to one of the Town's Land Use Bylaws.

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(2) The operation of any refrigeration unit which is attached to a refrigeration truck is also exempt from the prohibitions in this Bylaw if the refrigeration truck is parked on private property, the owner of which has granted approval and does not disturb the peace and quiet of persons in any adjacent residence.

Grant of Exemptions by Council

6.

- (1) Notwithstanding anything contained in this Bylaw, any person may make application to Council to be granted an exemption from any of the provisions of this Bylaw with respect to the emission of noise for which that person might be prosecuted; and Council, by resolution, may refuse to grant the exemption or may grant the exemption applied for or any exemption of lesser effect; and any exemption granted shall specify the time period, not in excess of 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 Council deems appropriate.
- (2) In deciding whether or not to grant an exemption, 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 Council, the proposed hours of operation of the proposed noise-emitting activity and the proposed duration of the subject activity.
- (3) Before deciding whether or not to grant an exemption, Council shall give the applicant, and any person opposed to the application, an opportunity to be heard during a designated Council session and may consider such other matters as it deems appropriate.
- (4) Notice of the time, date and purpose of the Council session at which the hearing is proposed to take place shall be mailed to the assessed owner or owners as shown in the records of the Regional Assessment Office, of property located within 300 meters of the property which will be the subject of the hearing.

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- (5) Any person(s), company, or organization applying for an exemption under this Section, must pay an application fee of fifty dollars (\$50.00) which can be waived by Council.
- (6) Any alleged breach by the applicant of any of the terms or conditions of any exemption granted by Council, shall be investigated by municipal staff, reported to Council in writing and Council shall determine whether or not a breach has taken place. If a breach has taken place, Council may pass a resolution revoking the exemption, without the necessity of giving notice of rescinding motion, and such exemption shall be null and void as of the passing of such resolution.

Severability:

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

Offence and Penalty

8. Any person who violates any section of this Bylaw is guilty of an offence and shall, on summary conviction, be liable to a fine of not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000.00) or imprisonment for a period of not more than ninety (90) days, including the imposition of a minimum fine. *Each event that constitutes a violation of this Bylaw is a separate offence; and if a violation is a continuing one, each day during which it continues constitutes a separate offence.*

Payment in Lieu of Prosecution

9. (1) A person who is alleged to have violated this Bylaw and is given notice of the alleged violation may pay a penalty in the amount of \$125.00 to an official designated by the Chief Administrative Officer, which official and place of

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payment shall be designated on the notice, 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 payment in this manner, and such payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for said violation.

(2) If a person violates the same provision of this Bylaw twice within one six month period, the minimum penalty for the second such violation is \$200.00.

Amendments to Schedule "A"

10. The Town may amend Schedule "A" from time to time by resolution of Council.

Repeal of Bylaws, Regulations and Ordinances

11. Chapter 11, Prevention of Disorder or Impropriety Bylaw, and any amendments thereto are hereby repealed.

THIS IS TO CERTIFY THAT this bylaw, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council by majority vote of the whole Council of the Town of Middleton on the 6th day of October, 2003.



E. L. Bennett
Town Clerk and Treasurer

1. Date of Notice to Council - August 21, 2003
2. Date of First Reading - September 2, 2003
3. Publication Notice of Second Reading - Sept. 17, 2003
3. Date of 2nd Reading & Passing - October 6, 2003
4. Date of Publication of Notice of Passing*- October 22, 2003

* Effective date of the Bylaw unless otherwise specified in the text of the Bylaw.

GIVEN under the hand of the Town Clerk and Treasurer and under the corporate seal of the Town of Middleton this 8th day of October, 2003.



E. L. Bennett
Town Clerk and Treasurer

SCHEDULE "A"

Part 1:

The following are activities that are deemed to unreasonably disturb the peace and tranquility of the neighborhood at any time, where the sound resulting therefrom is audible at a point of reception.

1. The operation of any combustion engine or pneumatic device without an effective exhaust or intake muffling device in good working order and in constant operation;
2. the operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to an improperly secured load or equipment or inadequate maintenance;
3. the operation of a motor vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices;
4. the detonation of fireworks or explosive devices not used in construction or quarrying;
5. the discharge of firearms (except for signaling purposes in a sporting competition) within 100 meters of someone else's residence;
6. the operation of a recreation vehicle within 30 meters of a residence except for the purpose of parking or storage on one's own property;
7. the operation of any public address system, television set, disc player, tape deck, phonograph, musical instrument, or radio in a manner such that the sound from the equipment being operated is audible beyond the bounds of the property from which the noise is emitted;
8. the operation of an mobile disc player, tape deck, phonograph, or radio in a manner such that the sound from the equipment being operated is audible beyond 30 meters from the device or apparatus;
9. the operation of any machinery, equipment or device that unreasonably disturbs the peace and tranquility of the neighborhood;
10. dogs or other domestic animals fighting;
11. knocking or pounding on any door of any premises or ringing any doorbell for the purpose of annoying the inhabitants therein;
12. repeated blowing of horns or squealing of tires from the use of an automobile;
13. allowing hens or other domestic fowl to be at large in the Town;
14. disturbing the good order or harmony of any public meeting in the Town.

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Part 2:

Activities that unreasonably disturb the peace and tranquility at specified times, where the sound resulting therefrom is audible at a point of reception.

Activities

Prohibited Times

- | | |
|--|--|
| 1. the operation of any refrigeration unit which is attached to a refrigeration trailer unless the refrigeration trailer is in motion; | Monday to Saturday: before 7:00 a.m. & after 9:30 p.m.
Sunday/Statutory
Holidays/Remembrance Day: at all times. |
| 2. the operation of a garborator, solid waste bulk lift, refuse compacting equipment or hydraulic dumpster associated with a commercial enterprise; | Monday to Saturday: before 7:00 a.m. & after 9:30 p.m.
Sunday/Statutory
Holidays/Remembrance Day: at all times. |
| 3. the operation in the outdoors of any power tool for domestic purposes other than snow removal unless consent is received from all owners at point of reception; | Monday to Saturday: before 7:00 a.m. & after 9:30 p.m.
Sunday/Statutory
Holidays/Remembrance Day: Before 9:00 a.m. and after 7:00 p.m. |
| 4. the operation of tree harvesters unless consent is received from all owners residing at the point of reception; | Monday to Saturday: before 7:00 a.m. & after 9:30 p.m.
Sunday/Statutory
Holidays/Remembrance Day: Before 9:00 a.m. and after 7:00 p.m. |
| 5. the use or operation of any commercial vacuuming equipment such as rug cleaning equipment; | Monday to Saturday: before 7:00 a.m. & after 9:30 p.m.
Sunday/Statutory
Holidays/Remembrance Day: Before 9:00 a.m. and after 7:00 p.m. |
| 6. construction and the operation of any equipment in connection with construction unless consent is received from all owners at point of reception; | Monday to Saturday: before 7:00 a.m. & after 9:30 p.m.
Sunday/Statutory
Holidays/Remembrance Day: Before 9:00 a.m. and after 7:00 p.m. |
| 7. the operation of a commercial car wash. | Any day: before 7:00 a.m. and after 9:30 p.m. |
| 8. the operation of engine (jake) brakes on Commercial vehicles. | Any day: before 7:00 a.m. and after 9:30 p.m. |

Chapter 54 - Orderly and Peaceful Conduct

NOTE: Any time specified in this Section shall mean Standard Time for the Town or Daylight Savings Time during the period of time for which the same is declared to be in force in the Town.

NOISE BYLAW

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

1. This Bylaw shall be known as, and may be cited as, the “NOISE BYLAW”.

DEFINITIONS

2. In this Bylaw, words take their ordinary dictionary meaning other than those defined below:
 - a) **“Council”** means the Town Council of the Town of Middleton;
 - b) **“Town”** means the Town of Middleton;
 - c) **“Construction”** includes erection, alteration, repair, dismantling and demolition of structures and includes structural maintenance, hammering, land clearing, moving of earth, rock or felled trees, rock breaking, grading, excavating, the laying of pipe or conduit whether above or below ground level, working with concrete, alteration or installation of any equipment, the structural installation of construction components or materials in any form whatsoever, the placing or removing of any construction related materials and includes any work in connection therewith; but does not include blasting;
 - d) **“Construction equipment”** means any equipment or device designed and intended for use in construction or material handling including but not limited to air compressors, air tracks, hydraulic breakers, excavators, dozers, pile drivers, pneumatic or hydraulic tools, tractors, trenchers, cranes, derricks, loaders, backhoes, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, and other material handling equipment
 - e) **“Motor vehicle”** includes an automobile, a motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; gravitational or wind power except a motorized wheelchair; a vehicle running upon rails, a farm tractor or self-propelled implement of husbandry, and an off-highway vehicle as defined from time to time in the Off- Highway Vehicles Act

- f) **"Public address system"** means any system comprised of one or more of the following, and in any combination: loudspeaker, amplifier, microphone, turntable, reproducer, receiver or tuner, where such equipment is part of a system used to reproduce or amplify sound;
- g) **"Emergency response person"** includes police, fire departments or brigades, registered emergency services providers, search and rescue personnel, provincial, regional or municipal Emergency Measures Organizations, ambulance or emergency health services providers and includes volunteer or military personnel responding to an apparent condition of emergency;
- h) **"A-weighted"** means a unit of measure of decibels (dBA) using a weighted sound level meter;
- i) **"Point of reception"** means any point on premises or premises containing a dwelling unit where sound, originating from other premises, including other dwelling units, is received.

PROHIBITIONS AND INTERRUPTIONS

- 3. No person shall, within the Town boundaries, engage in any activity which is likely to generate noise or sound that unreasonably disturbs the peace and tranquility of a neighborhood. For this section, evidence that the noise generated can be heard within a dwelling unit located on a neighbouring property is prima facie proof that an offence has been committed.
- 4. Without limiting the generality of section 3, the activities or noises listed in Schedule A and Schedule B, during the proscribed times as set out therein, are deemed to be activities which generate noise or sound that unreasonably disturbs the peace and tranquility of a neighborhood if the sound resulting from the activity is audible at a Point of reception. Owners and occupiers who create excessive noise shall be liable to a penalty.
- 5. No person shall operate an off-highway vehicle snowmobile, or dirt bike within Town limits unless on private property. The use of these vehicles on private property should not cause a noise disturbance to neighboring residents between the hours of 10 p.m. to 7 a.m. Pursuant to Section 17 of the *Road Trails Act*, no driver shall operate an off-highway vehicle if the noise level of the vehicle is higher than the level originally set by the manufacturer because of the removal of the muffler or other noise-dampening device or the modification of the muffler or other noise-dampening device so as to increase the noise level.
- 6. No person shall generate, or cause or permit to be generated, a noise or sound that is

measurable in A-weighted sound pressure level at a Point of reception.

- a) Greater than 70 dBA, before 7:00 am, or after 11:00 pm.
- b) Greater than 90 dBA, at other times.

FIXED EXEMPTIONS

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

NOTWITHSTANDING

8. Any other provisions of this Bylaw, this Bylaw shall not apply to or proscribe:
 - a) employees of the Town of Middleton, Government of Canada, Province of Nova Scotia, Middleton Public Service Commission, the Nova Scotia Power or and telecommunications companies and their contractors and employees when acting in the reasonable execution of their duties between 7:00 a.m. and 10:00 p.m. in the day;
 - b) noises in connection with organized athletic or recreational activities in a municipal park area, arenas or community centers between 5:00a.m. and 1:00 am;
 - c) noises from the organized and scheduled activities and events of festivals, parades, street dances, rallies, or other community activities, funded, sponsored or licensed by the Federal or Provincial government or the Town of Middleton until 1:00 am;
 - d) noises emitted by Town-owned machinery or equipment when used in the normal course of performing Town services;
 - e) noises resulting from the operation of any refrigeration unit which is attached to a refrigeration truck if refrigeration truck is parked;
 - f) noises emitted by audible pedestrian signals;
 - g) the emission of sound in connection with calls to worship, ringing of bells at places of religious worship, or services of religious worship;
 - h) the emission of sound in connection with any organized traditional, festive, or

religious activity celebrating:

- i. Canada Day
 - ii. New Year's Eve or
 - iii. Religious/cultural holidays
 - iv. Town sponsored and/or organized recreational activities and events including, but not limited to, Heart of the Valley Festival, Century Ride, Heart Run, Movies and Concerts in the Park
- (i) the emission of sound in connection with emergency measures that are undertaken for:
- i. for the immediate health, safety, or welfare of an individual
 - ii. for the preservation of property

GRANT OF EXEMPTION BY COUNCIL

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

PENALTIES

10. Any person who contravenes any provision of this Bylaw is guilty of an offense and is punishable on summary conviction by a fine(s) as defined in the Fees and Fines Policy. Subsequent offences are offences that take place after the first offence within the same calendar year.
11. This Bylaw shall only have effect with respect to noises emitted within the boundaries of the Town of Middleton.

REPEAL

12. A Bylaw known as the Orderly and Peaceful Conduct Bylaw dated October 8th, 2003, is hereby repealed.



 Mayor

 CAO/Clerk

This is to certify that this Bylaw, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the ___ day of _____, 2023.

Given under the hand of the Mayor and Chief Administrative Officer of the Town of Middleton this ___ day of _____, 2023.

Bylaw Adoption	
Date of First Reading:	
Publication of Notice of Intent:	
Date of 2 nd Reading & Passing:	
Date of Publication of Notice of Passing:	
Description: Passing of Original Bylaw	
First Amendment	
Date of First Reading:	
Publication of Notice of Intent:	
Date of 2 nd Reading & Passing:	
Date of Publication of Notice of Passing:	
Description:	

Schedule "A"

ACTIVITIES PROSCRIBED AT ALL TIMES:

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

Schedule "B"

ACTIVITIES PROSCRIBED BETWEEN THE HOURS OF 11 PM – 7 AM:

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

Appendix A

Application for a Special Licence to Discharge a Firearm

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

Name: _____

Civic Address: _____

Phone Number: _____

Email: _____

Location of Event: _____

Time of Event: _____

Category (check one):

- | | | |
|------------------|------------------------|----------------------|
| Gun Club | Bow & Arrow | Air Rifle |
| Fireworks | Re-enactors | Film Industry |

Requirements:

Gun Club

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

Bow & Arrow

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

Air Rifle

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

Fireworks

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

Re-enactors / Museums

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

Film Industry

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

Appendix B
Blasting Permit

***This Special Licence is required to conduct any blasting within the Town of Middleton.**

Name: _____

Civic Address: _____

Phone Number: _____

Email: _____

Location of Event: _____

Time of Event: _____

Requirements:

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

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

Approved by:

CAO

Date of Approval

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

Appendix C

Application for a Grant of Exemption by Council

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

Name: _____

Civic Address: _____

Phone Number: _____

Email: _____

Reason for Request: _____

Location of Event: _____

Time of Event: _____

Requirements:

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

Rights of Council:

In deciding whether or not to grant an exemption under section 9 or in determining terms or conditions of the exemption, Council shall give consideration to:

- a) the social or economic benefit of the proposed activity to the Town, the views of any residents of the Town;
- b) volume, nature and consistency of noise emission associated with the proposed activity;
- c) the proximity and nature of abutting or adjacent land uses;
- d) the hours of operation of the proposed activity;
- e) any other factor relevant to balancing the interests of the applicant in the proposed activity against the interests of those persons who might be disturbed by the proposed activity.

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

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

Public Input:

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

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

**REQUEST FOR DECISION
IMSA Annapolis REMO
RFD#: 056-2023**



To: COTW and Town Council
From: CAO Crocker
Date: October 3, 2023 and October 16, 2023
Subject: Updated Intermunicipal Service Agreement – Annapolis REMO

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Updated IMSA for Annapolis REMO
- Revision List

Legislation

- Emergency Management Act
- *Municipal Government Act*

Recommendation

The following recommendation was made by the Annapolis REMO Advisory Committee, September 25, 2023:

Motion 230925.03: It was moved by Councillor L. Longmire and seconded by Councillor H. Sanford that the Annapolis REMO Emergency Services – IMSA be approved by the Annapolis REMO Advisory Committee and forwarded to Participating Municipal Units (PMU) Councils for final approval.

The following motion for Middleton Town Council is recommended:

That Council to approve and sign the updated Intermunicipal Service Agreement for Annapolis REMO.

Background

See attached revision list.

Financial Implications

n/a

**REQUEST FOR DECISION
IMSA Annapolis REMO
RFD#: 056-2023**



Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
	Infrastructure	
	Economy	
X	Community	To ensure adequate and appropriate response and coordination during emergency events
X	Governance	To ensure the IMSA is accurate
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: 16 October 2023

AN INTERMUNICIPAL EMERGENCY SERVICES AGREEMENT

THIS INTERMUNICIPAL SERVICE AGREEMENT is made in triplicate and sets forth a framework for a Regional Emergency Management Organization on this ____ day of _____, 2023.

BETWEEN:

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS (hereinafter “the County”), a municipal body corporate pursuant to Section 7 of the *Municipal Government Act*, S.N.S., 1998 c.;

-and-

TOWN OF ANNAPOLIS ROYAL (hereafter “Annapolis Royal”), a municipal body corporate pursuant to Section 8 of the *Municipal Government Act*, S.N.S., 1998 c.;

-and-

TOWN OF MIDDLETON (hereafter “Middleton”), a municipal body corporate pursuant to Section 8 of the *Municipal Government Act*, S.N.S., 1998 c.;

(collectively the “parties hereto”).

WHEREAS Section 60 of the *Municipal Government Act (MGA)* provides for the delivery of municipal services on such terms and conditions as agreed by the Participating Municipal Units (PMU), and for the delegation of service delivery to a party to an agreement;

WHEREAS the parties hereto previously executed an inter-municipal agreement on April 13, 2022, to provide for a coordinated joint municipal response to an emergency occurring within any PMU;

WHEREAS a cooperative partnership has been established operating under the name Annapolis Regional Emergency Management Organization (REMO) with a purpose to provide comprehensive emergency services to the region, to render mutual aid with respect to personnel and equipment during an emergency, and for joint provision of service and facilities by the parties hereto in accordance with Section 60 of the *Municipal Government Act* and Section 10 of the *Emergency Management Act*;

WHEREAS the parties hereto desire to develop a regional emergency response plan that includes complementary regional emergency management bylaws, a common risk assessment plan and Memorandum of Understanding with other interested parties;

WHEREAS the parties hereto agree to appoint and purchase the services from the County as the Host Unit to provide management of the service, to ensure operational efficiency and accountability to the participating municipalities;

WHEREAS the parties hereto agree that this regional initiative will include having a Regional Emergency Management Coordinator (an employee or contractor of the Host Unit); a Regional Emergency Management Advisory Committee (comprised of elected officials of each participating municipality); and a Regional Emergency Management Planning Committee (comprised of public sector staff and regional not-for-profit personnel);

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT, for and in consideration of the joint and several mutual covenants herein contained, and other valuable consideration, the receipt and sufficiency of which is acknowledged by all participating municipalities, the parties hereto mutually covenant and agree with each other as follows:

DEFINITIONS

1. In this Agreement words and phrases have the same meaning as in the *Emergency Management Act* or as provided below:
 - (a) **CAO** means Chief Administrative Officer, and has the same meaning as in the *Municipal Government Act* or successor legislation as may be enacted from time to time;
 - (b) **“Councils”** means the Councils of the participating municipalities;
 - (c) ***Emergency Management Act (Act)*** means *Emergency Management Act*, S.N.S., 1990, c. 8, as amended;
 - (d) **Fiscal Year** means the 12-month period beginning April 1 and ending March 31 of

INTERMUNICIPAL EMERGENCY SERVICES AGREEMENT
(Town of Annapolis Royal/Town of Middleton/Municipality of the County of Annapolis)

the following calendar year;

- (e) **Host Unit** means the participating municipality authorized by the parties hereto to provide general management and administration of regional emergency services including but not limited to accounting, legal, human resource, and administrative oversight in accordance with this Agreement;
- (f) **MGA** means *Municipal Government Act*, S.N.S., 1998, c. 18, as amended;
- (g) **Participating Municipalities** means, collectively, the parties hereto;
- (h) **Regional Emergency Management Advisory Committee (Advisory Committee)** means the Warden / Mayors (or their designate) and one member of Council of each participating municipality;
- (i) **Regional Emergency Management Coordinator (Coordinator)** means the employee or contractor of the Host Unit responsible to coordinate plans and responses related to an emergency;
- (j) **Regional Emergency Management Organization (REMO)** means the Advisory Committee, the Coordinator, and the Planning Committee, and collectively is the municipal emergency management organization for the participating municipalities;
- (k) **Regional Emergency Management Planning Committee (Planning Committee)** means the committee comprising of public sector staff and not-for-profit personnel detailed in "Schedule B"

EFFECT

- 2. The parties hereto agree that this Agreement is effective as at the date first above written and replaces the Inter-municipal Services Agreement signed on April 13, 2023.
- 3. The participating municipalities hereby agree that the provision of services governed by this Agreement shall be managed and delivered by REMO which shall, effective as at the date of execution of this Agreement, commence operations in accordance with the provisions herein.

DECLARING A STATE OF LOCAL EMERGENCY

- 4. In accordance with the *Emergency Management Act*, a Council or Councils of the parties hereto may, when satisfied that an Emergency exists or may exist in all or any area of their Municipality, declare a State of Local Emergency.
- 5. If a Council(s) is unable to act promptly, in accordance with Section 12 of the *Act* the Warden or Mayor of those municipalities may declare a State of Local Emergency.
- 6. Once the State of Local Emergency is declared, the Warden and Mayors of the participating municipalities may authorize [pursuant to Section 15(1)(b) of the *Act* and Section 60 of the *Municipal Government Act*] the REMO to act in their stead during the declared State of Local Emergency.
- 7. When the declared State of Local Emergency is exclusive to one of the parties hereto, the incremental costs incurred by REMO associated with that specific declaration shall be borne exclusively by the party to which the emergency relates. Where the participating municipality objects to the assignment of costs, the Advisory Committee shall consider an alternate cost-sharing formula, and if not agreed by all parties hereto, the dispute provisions of the Agreement shall govern.

LOCAL AND REGIONAL EMERGENCY MANAGEMENT

- 8. An Emergency may be declared a State of Local Emergency by the Council or the Warden / Mayor of the parties hereto in accordance with the *Emergency Management Act* regardless of whether the State of Local Emergency is wholly or in part specific to their municipality.
- 9. In accordance with Section 10 of the *Emergency Management Act*, the parties hereto agree to appoint and maintain an Advisory Committee comprised of elected officials to advise on the development of regional emergency management plans.
- 10. In accordance with Section 24 of the *MGA*, the Advisory Committee shall serve as an advisory committee to the councils of the participating municipalities and shall make joint recommendations to the respective councils.
- 11. The Advisory Committee shall operate in accordance with the terms of reference appended

INTERMUNICIPAL EMERGENCY SERVICES AGREEMENT
(Town of Annapolis Royal/Town of Middleton/Municipality of the County of Annapolis)

to this Agreement as “Schedule A.”

12. The Advisory Committee shall have the authority to approve budget reallocations if the total budget is not exceeded and an allocation does not involve the acquisition of a tangible capital asset or long-term debt.
13. The Regional Emergency Management Advisory Committee shall be considered as acting in the stead of an Emergency Management Advisory Committee for each participating municipality, thereby meeting the requirements of Section 10(1)(d) of the *Emergency Management Act*.
14. The Regional Emergency Management Planning Committee shall be considered as acting in the stead of an Emergency Management Planning Committee for each participating municipality.
15. The Regional Emergency Management Coordinator shall be considered as acting in the stead of an Emergency Advisory Coordinator for each participating municipality, thereby meeting the requirements of Section 10(1)(c) of the *Emergency Management Act*.
16. The parties agree that each participating Municipality shall appoint a staff member as an Alternate Emergency Management Coordinator to act as a liaison with the Regional Emergency Management Coordinator.

REMO GOVERNANCE

17. The parties hereto agree that enactment of REMO-related policies and bylaws shall be designed to be, to the extent possible, complementary policies and bylaws which require adoption of by each participating municipality pursuant to the *MGA*.
18. The Chief Administrative Officer (or designate) of the Host Unit shall be responsible for the duties assigned to the Host Unit under this Agreement including:
 - a) general management and administration of regional emergency services;
 - b) supervision and management of the Regional Emergency Management Coordinator;
 - c) administration of the REMO budget; and
 - d) financial reporting.
19. The CAO’s (or designates) of the participating municipalities shall jointly develop and approve the job description for the Regional Emergency Management Coordinator. The job description shall be reviewed bi-annually in March.
20. The participating municipalities agree that the Municipality of the County of Annapolis is the Host Unit pursuant to this Agreement. Any subsequent change to the Host Unit appointment must be made by unanimous consent passed by all of the participating municipalities.
21. The Host Unit shall:
 - a) procure goods and services, in accordance with the procurement requirements *Public Procurement Act*, 2011, c.12;
 - b) maintain accounts for the financial administration and record keeping of REMO and provide budget / expenditure updates to the Advisory Committee and CAO’s of participating municipalities on an annual basis;
 - c) convene a minimum of two meetings per year of the CAO’s (or designates) of participating municipalities to review work plans, progress reports and expenditure reports prepared by the Host Unit with such meetings to be held in advance of the applicable Advisory Committee meetings; and
 - d) execute contracts including equipment, facilities, personnel, and funding agreements with other orders of government, pursuant to an approved work plan.

REGIONAL EMERGENCY MANAGEMENT COORDINATOR

22. The Host Unit shall employ or contract for the services of a Regional Emergency Management Coordinator on a full-time permanent basis in accordance with this Agreement.
23. The Regional Emergency Management Coordinator is an employee or contractor of the Host Unit for payroll, accounting, employment rights and budget administration purposes.
24. The Regional Emergency Management Coordinator shall report to the CAO (or designate) of the Host Unit.

INTERMUNICIPAL EMERGENCY SERVICES AGREEMENT
(Town of Annapolis Royal/Town of Middleton/Municipality of the County of Annapolis)

25. The Host Unit will provide office space for the Regional Emergency Management Coordinator on a cost-recovery basis while the remaining participating municipalities will provide as-needed office space *gratis*.
26. Should the position of the Regional Emergency Management Coordinator become vacant it will be the responsibility of the CAO of the Host Municipality to fill the vacancy in accordance with the hiring policies of the Host Municipality. The selection committee shall consist of the CAO's of the participating municipalities.

REGIONAL EMERGENCY PLANNING COMMITTEE

27. The parties hereto agree that REMO shall form and maintain a Regional Emergency Management Planning Committee in accordance with the terms of reference appended hereto as "Schedule B."

TERM AND TERMINATION

28. The term shall commence on the date of execution of this Agreement and continue year over year subject to annual reviews for contract adjustments that will be considered by councils of participating units no later than December 31st each year.
29. The parties hereto may elect to terminate this Agreement for any reason at any time on agreement of all parties hereto in writing, without liability, with sixty (60) days' written notice.
30. Upon termination of this Agreement, the current assets and liabilities of the REMO are vested in the participating municipalities to the Agreement at the time of termination in proportion to their contributions to the REMO budget.

WITHDRAWAL

31. A participating municipality may withdraw from this Agreement at the beginning of any fiscal year by providing written notice to the other participating municipalities a minimum of twelve (12) months in advance of the commencement of the fiscal year in which they intend to withdraw.
32. Any party withdrawing from this Agreement remains responsible for their proportionate share of any liabilities of the REMO incurred up to the date of the withdrawal as well as any severance, penalty or other costs necessarily incurred by the REMO as a result of the withdrawal.
33. The remaining participating municipalities shall not be financially responsible for costs incurred by a withdrawing municipality as a result of the withdrawal.

REMO ACTIVATION

34. REMO shall be activated by the Host Unit at the request of any participating municipality.
35. REMO shall be activated by the Host Municipality at the request of an Incident Commander should an incident occur where the size, potential hazard or seriousness appears beyond the capacity of the first response agencies.
36. The Regional Emergency Management Coordinator shall initiate the response through the Emergency Coordination Centre (ECC) at the level appropriate to the emergency.
37. The regional Emergency Coordination Centre shall be located within the Municipality of the County of Annapolis Administration Building located at 752 St. George Street, Annapolis Royal.
38. An alternate Emergency Coordination Centre shall be located within the Town of Middleton Administration Building located at 131 Commercial Street, Middleton, or the Nova Scotia Community College – Annapolis Valley Campus located at 295 Commercial Street, Middleton.
39. The Regional Emergency Management Coordinator is responsible for ensuring that Nova Scotia Emergency Management Organization (NSEMO) is informed of any activation of REMO.

REMO OPERATION

40. Under the direction of the ECC Manager (CAO), the Regional Emergency Management Coordinator is responsible for resource coordination for emergency response operations in accordance with the approved Regional Emergency Management Plan.

INTERMUNICIPAL EMERGENCY SERVICES AGREEMENT
(Town of Annapolis Royal/Town of Middleton/Municipality of the County of Annapolis)

41. In the event REMO capacity is or is likely to be exceeded, REMO, via the Host Unit, will engage in support from other agencies as required, and to that end shall develop regional agreements with other REMOs with said agreements being administered pursuant to provision 21(d) of this Agreement.

FINANCIAL OPERATIONS

42. The fiscal year of the REMO shall be from April 1 to March 31 of the following year.
43. The parties shall share the cost of the operations of the REMO based on a contribution of \$3,500 annually from each Town and the County, and the remainder of the annual budget divided proportionally based upon current uniform assessments and population (*See sample per "Schedule C."*)
44. The actual dollar contribution of the Municipalities shall be based on the annual expenditures of the REMO. The Host Unit shall annually invoice the other participating municipalities for their share of the annual expenses following the end of the fiscal year.
45. The REMO budget shall be submitted for review by the Advisory Committee prior to January 31st of the fiscal year prior to the fiscal year of the recommended budget. The Advisory Committee shall make a recommendation to municipal councils regarding the proposed budget.
46. If REMO requires additional money for any purpose, such an increase is subject to prior approval by all parties.
47. Any participating municipality may request resources from the other parties as required, to be provided at cost to the requesting municipality.
48. Where an emergency event does not involve all participating municipalities and any participating municipality objects to the application of the operating cost-sharing formula, the Advisory Committee shall consider and recommend an alternate cost-sharing formula; and if not agreed by all parties hereto, the dispute provisions of this Agreement shall prevail.

DISPUTE RESOLUTION

49. Notwithstanding any other provision in this Agreement, any dispute that cannot be resolved shall be referred to mediation. Where a dispute remains unresolved by mediation, then any participating municipality may refer such dispute to arbitration by provision of written notice to all parties hereto. In the event of arbitration, the arbitrator appointed shall be agreed by the parties within 30 days of submission to arbitration; in default of agreement, the parties

NOTICE

50. Any notice under this Agreement, unless otherwise provided, may be given if delivered or mailed, postage prepaid, or by facsimile transmission or electronic transmission to:

Chief Administrative Officer,
Municipality of the County of Annapolis
PO Box 100, 752 St. George Street, Annapolis Royal, NS B0S 1A0

Chief Administrative Officer,
Town of Annapolis Royal
PO Box 310, 285 St. George Street, Annapolis Royal, NS B0S 1A0

Chief Administrative Officer,
Town of Middleton
PO Box 340, 131 Commercial Street, Middleton, NS B0S 1P0

APPLICABLE LAW

51. The laws governing this Agreement and any action, matter or proceeding based upon or relating to this Agreement shall be the laws of the Province of Nova Scotia, which shall have exclusive jurisdiction over any action or proceeding based upon or relating to this Agreement.

SEVERABILITY

52. The parties covenant and agree that the invalidity or unenforceability of any provision of this Agreement will not affect the validity or enforceability of any other provision, and any invalid provision will be severable, or will be deemed to be severable.

**INTERMUNICIPAL EMERGENCY SERVICES AGREEMENT
(Town of Annapolis Royal/Town of Middleton/Municipality of the County of Annapolis)**

WAIVERS AND AMENDMENTS

53. No action by any party to this Agreement shall be construed as a waiver saving express written provision of such waiver, and this Agreement shall not be amended except by express written provision of such amendment by all parties hereto.

FURTHER ASSURANCES

54. The parties hereto agree to execute and deliver any further documents or assurances or to furnish any further information or perform any other act reasonably necessary to give full effect to the terms herein.

TIME

55. Time shall in all respects be of the essence in this Agreement.

THIS AGREEMENT shall ensure to the benefit of and be binding upon the parties hereto, their heirs, executors, administrators, estates, and assigns.

IN WITNESS WHEREOF the parties have executed this Agreement by their respective officials, duly authorized on that behalf, on the day and year first above written.

SIGNED AND SEALED
in the presence of:

_____) **TOWN OF ANNAPOLIS ROYAL**
_____))
_____) Per: _____, Mayor

_____)
_____)
_____) Per: _____, Clerk

_____) **TOWN OF MIDDLETON**
_____))
_____) Per: _____, Mayor

_____)
_____)
_____) Per: _____, Clerk

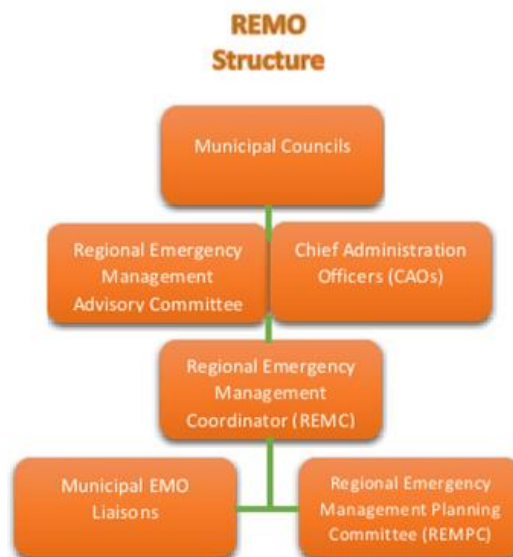
_____) **MUNICIPALITY OF THE COUNTY OF ANNAPOLIS**
_____))
_____) Per: _____, Warden

_____)
_____)
_____) Per: _____, Clerk

SCHEDULE A

Terms of Reference – Regional Emergency Management Advisory Committee

Background	Under s. 10(1)(d) of the <i>Nova Scotia Emergency Management Act</i> , municipalities are required to “appoint a committee consisting of members of the municipal council to advise it on the development of emergency management plans”.
Mandate	Advise on the development of the Regional Emergency Management Plan(s) and brief / advise Council(s)
Duties / Responsibilities	<ul style="list-style-type: none"> • Exercise all powers necessary as delegated to the Committee once a declaration has been made [Sections 6 and 7 IMSA] and as conferred by the <i>Emergency Management Act</i> • Once the State of Local Emergency is declared, and when the declared State of Local Emergency involves two or more of the parties to an agreement, the Warden / Mayor may authorize the Advisory Committee to act in their stead during the declared State of Local Emergency per subsection 15(1)(b) of the <i>Act</i>. • If required, renew the State of Local Emergency declaration every seven (7) days • During a State of Local Emergency, advise and continually update Municipal Councils on the current emergency situation • To consider and recommend to Councils any plan amendments proposed by the Regional Emergency Management Coordinator or the Regional Emergency Management Planning Committee • Support and approve regional emergency management plans
Chair	The Chairperson of the Annapolis Regional Emergency Management Advisory Committee shall be determined by the Committee at the first meeting of each calendar year
Composition / Term	<p>The Regional Emergency Management Advisory Committee shall be comprised of the Warden / Mayors (or their designate) and one member of Council of each participating municipality [<i>per Inter-municipal Services Agreement</i>]</p> <p>The Municipal Council representatives on the Advisory Committee shall be appointed for two-year terms of office which align with the dates of general municipal elections</p> <p>The Regional Emergency Management Coordinator (and Alternate Regional Emergency Management Coordinator) shall attend Advisory Committee meetings in the capacity of staff support person(s); and pursuant to Section 31(2)(a) of the <i>Municipal Government Act</i>, CAO’s from participating municipalities may attend and make observations and suggestions.</p>



Schedule of Meetings	The committee shall meet at such time and place which it sets at a preceding meeting <u>or</u> at such other time and place as the committee's chairperson or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance.
Meeting Quorum	A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred and including at least one representative from each participating municipality.
Agenda Minutes	/ A recording secretary shall be provided by the meeting host municipality. All agenda items must be forwarded to the chairperson and recording secretary at least ten (10) working days prior to the next scheduled meeting. The agenda and related documents will be provided to meeting participants at least three (3) working days prior to a scheduled meeting.

DRAFT

SCHEDULE B

Terms of Reference – Regional Emergency Management Planning Committee

Background

The purpose of a Regional Emergency Management Organization is to plan for emergencies and coordinate emergency response. The effective exchange of emergency information with the community, and more importantly, those impacted directly by an emergency event is critical to a successful response. Planning for this exchange of emergency information between internal and external stakeholders, the community (both residents and businesses) and the media greatly increases the chances of an effective response and organized recovery from the emergency.

Annapolis REMO has been formed pursuant to Sections 9(b) and 10(1)(b) of the *Nova Scotia Emergency Management Act*, and through an Inter-municipal Services Agreement enabled under s. 60 *Municipal Government Act*. Through these authorities, the participating municipal units have determined that a Regional Emergency Management Planning Committee should be formed to provide advice and guidance relative to emergency planning.

Mandate

The role of the Regional Emergency Management Planning Committee is to:

- provide interactive and effective communication between municipal staff / officials and emergency response stakeholders on matters of Emergency Management;
- promote education and training for emergency preparedness; and
- offer advice to the Regional Emergency Management Coordinator and the Regional Emergency Management Advisory Committee.

Duties / Responsibilities

The Regional Emergency Management Planning Committee shall be responsible for recommending procedures for maintaining a reasonable state of preparedness for emergencies and assisting the Regional Emergency Management Coordinator in the preparation and coordination of regional emergency management plans. Specifically, the Committee will:

- contribute to the identification of risks arising from emergencies in Annapolis County;
- provide information and expertise relating to the occurrence and mitigation of potential emergencies in Annapolis County;
- participate in the continuous improvement of the Regional Emergency Management Plan through monitoring, review and development. (as coordinated by the Regional Emergency Management Coordinator);
- as required, participate in functional sub-committees and work groups to plan for specific emergencies, address issues, and develop and implement projects;
- support the development of Plans to address emergencies based on existing and emerging hazards;
- test components of the Regional Emergency Management Plan and Other Contingency & Action Plans through the planning, development and participation in emergency exercises; and
- advise the Regional Emergency Management Advisory Committee on development and amendment of Regional Emergency Management Plan(s).

Chair

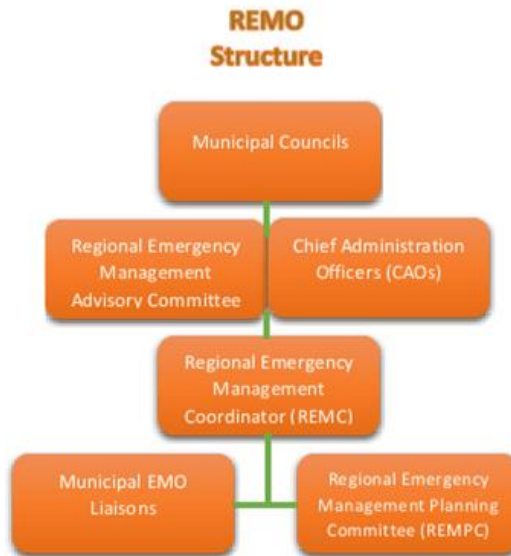
The Regional Emergency Management Coordinator shall be the chair of the Regional Emergency Management Planning Committee.

Schedule of Meetings

- Four meetings per fiscal year with additional meetings to be scheduled if deemed necessary by the Committee;
- After a major emergency or incident that required the use of the Regional Emergency Management Plan;
- When significant amendments have been made to the Regional Emergency Management Plan; and
- Upon identification of a new risk or hazard.

Committee Membership

The Regional Emergency Management Planning Committee shall consist of municipal staff and representatives of emergency services and other agencies which may have direct operational responsibilities in an emergency (*See further - Regional Emergency Management Plan*).



Meeting Quorum

Meeting Quorum shall be a majority of the standing members of the REMPC.

Agenda Items and Minutes

The recording secretary for meetings to record the minutes shall be either the Alternate REMC from one of the participating municipal units, or the Information Officer.

- All Agenda items must be forwarded to the REMPC within ten (10) working days prior to the next scheduled meeting.
- The Agenda with related documents will be made available to the Committee members at least three (3) working days prior to the next scheduled meeting.

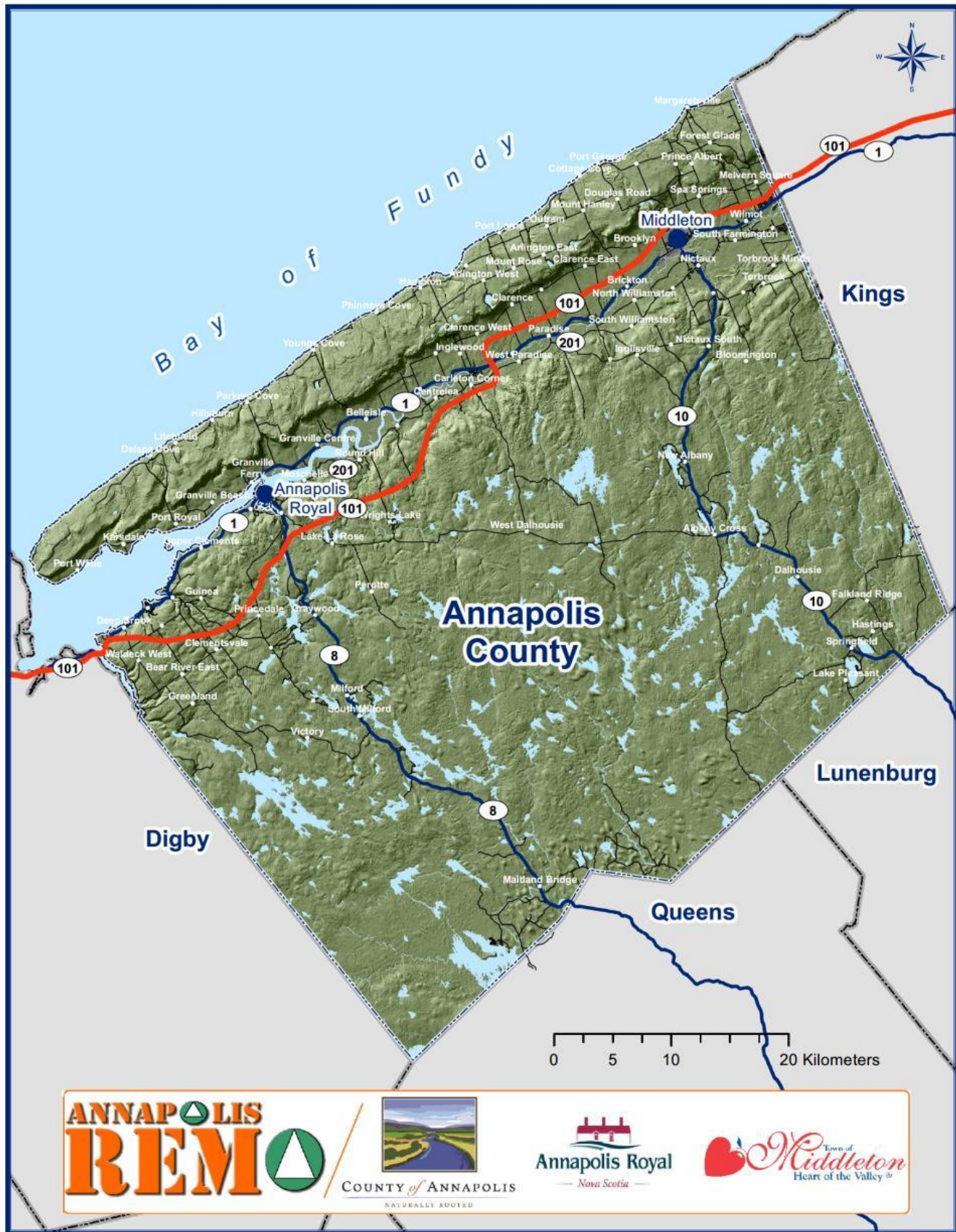
SCHEDULE C – SAMPLE BUDGET

Regional Emergency Management Organization (REMO)	BUDGET 202X-2X
Salaries & Benefits	71,841
Professional Development	6,240
IT Services	4,329
Materials & Supplies	4,550
Repairs & Maintenance	2,000
Professional Services	300
Contracted Services	5,270
Total Expenses	94,530

2023-24 projected expenses	\$94,530
Less: Base Contributions Per Inter-Municipal Agreement	\$10,500 (Each PMU contributes \$3,500)
Remainder for formula	\$84,030

Municipality	UA 2021-22	%	Population 2021 Census	%	Avg Percentage	Remainder	Base	Total Due
County of Annapolis	1,292,991,207	87.65%	18,834	88.68%	88.17%	\$74,088	\$3,500	\$77,588
Annapolis Royal	70,660,149	4.79%	530	2.50%	3.64%	\$3,061	\$3,500	\$6,561
Middleton	111,501,434	7.56%	1873	8.82%	8.19%	\$6,881	\$3,500	\$10,381
	1,475,152,790	100%	21,237	100%	100%	\$84,030	\$16,500	\$94,530

Map of Annapolis County



Annapolis REMO
INTERMUNICIPAL EMERGENCY SERVICES AGREEMENT

List of Revisions 2023

- WHEREAS the parties hereto previously executed an inter-municipal agreement on **March 2, 2017-April 13, 2022**, to provide for a coordinated joint municipal response to an emergency occurring within any PMU;
- WHEREAS the parties hereto desire to develop a regional emergency response plan that includes complementary regional emergency management bylaws, a common risk assessment plan and Memorandum **a** of Understanding with other interested parties;
- **Removed- "Special Resolution"** definition. Explained in section 21
- #16 – ***"The parties agree that each Municipality shall appoint a staff member as an Alternate Emergency Management Coordinator to act as a liaison with the REMC"*** – Replaces ***"With the exception of the Host Unit, each of the other parties hereto shall appoint a municipal staff member to serve as a liaison between their respective municipality and the Regional Emergency Management Coordinator."***
- #19 – Change **from "Annually" to "Bi-annually"** review of REMC job description
- #20 – Change **from "Special Resolution" & "A Majority" to "Unanimous Consent"** passed by **"All" PMUs**
- #21b – Change from **"semi annual" to "annual"**
- #22 – Change **"part-time" to "full-time permanent"**
- #38 – **Addition – "Nova Scotia Community College – Annapolis Valley Campus"**
- #41 – Added ***"In the event REMO capacity is or is likely to be exceeded, REMO, via the Host Unit, will engage support from other agencies as required, and to that end shall develop regional agreements with other REMOs with said agreements being administered pursuant to provision 21(d) if this Agreement."***
- #43 – Corrected amount of **"\$3500"**
- #45 – Date change **from "February 28" to "January 31"**

Revisions to REMAC – Terms of Reference

- Addition of section title “Schedule of Meetings”
- Addition of REMO structure graphic.



Revisions to REMPC – Terms of Reference

- **Duties/Responsibilities:**
 - Bullets #1 and #2 added “In Annapolis County”
 - Added Bullet #4 & #5 “As required, participate in functional sub-committees and work groups to plan for specific emergencies, address issues, and develop and implement projects;” “Support the development of Plans to address emergencies based on existing and emerging hazards;”
 - Bullet #6 added “and Other Contingency & Action Plans” and “Planning”
- **Committee Membership:**
 - Added graphic



- **Added section: Meeting Quorum**
 - “Meeting Quorum shall be 50% plus 1 of the standing members of the REMPC
- **Added Section: Agenda Items & Minutes**
 - “The recording secretary for meetings to record minutes shall be either the alternate REMC, or an Information officer, from one of the participating municipal units.”
 - All agenda items must be forwarded to the REMC within ten (10) working days prior to the next scheduled meeting.
 - The Agenda with related documents will be made available to the Committee members at least three (3) working days prior to the next scheduled meeting.

**REQUEST FOR DECISION
HOSPITALITY POLICY
RFD#: 057-2023**



To: COTW and Town Council
From: Ashley Crocker, CAO
Date: October 3, 2023 and October 16, 2023
Subject: Hospitality Policy

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Updated Hospitality Policy

Recommendation

That Council approve the updated Hospitality Policy.

Background

These updates are a result of performing review of all the Town's policies and bylaws. One recommendation is to change the wording in Section 18 as shown below.

Currently it reads: "No specific dollar limit is set by this Policy. The maximum to be spent on a gift shall be reasonable and appropriate under the circumstances of the specific hosting event."

Proposed change: "No specific dollar limit is set by this Policy. The amount to be spent on a gift shall be reasonable and appropriate relative to the event for which the gift will be given."

Rationale for the change: Clearer language.

Financial Implications

N/A

**REQUEST FOR DECISION
HOSPITALITY POLICY
RFD#: 057-2023**



Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
	Infrastructure	
	Economy	
	Community	
X	Governance	Simple update to reflect policy review and clarity of the policy.
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports updating the Town's policies for better understanding and accuracy.

CAO Initials: AC

Target Decision Date: 16 October 2023

**TOWN OF MIDDLETON
CODE A - GENERAL ADMINISTRATION**

Subject: Hospitality Policy

Number: 2.6

Coverage: Staff & Council

Approved by: Council

Effective Date: Sept 16/19

Revision Date:

Policy Statement

1. The Town of Middleton recognizes that hospitality-related activities are, at times, necessary and legitimate expenses supporting the effective conduct of government business and for reasons of diplomacy, protocol, business development or promotional advocacy.
2. The offering of hospitality will be done in such a manner to reflect the prudent stewardship of public funds. This policy safeguards the appropriate use of public funds through the establishment of uniform standards and procedures respecting Council member, Chief Administrative Officer (“CAO”) and Town of Middleton employee hospitality claims.

Policy Objectives

3. To provide direction and guidance with respect to the appropriate expensing of necessary hospitality expenses that support the Town of Middleton’s objectives.
4. To ensure hospitality is offered in an accountable, economical, and consistent manner in the facilitation of government business and/or for reasons of diplomacy, protocol, business development or promotional advocacy.
5. To ensure taxpayers’ dollars are used prudently and responsibly with a focus on accountability and transparency.

Hospitality and Hospitality Events

6. A hospitality event is a reception, ceremony, conference, or other event that involves hosting individuals from outside the Town of Middleton. Hospitality may be offered under the following circumstances in accordance with this policy:
 - a. hosting foreign dignitaries;
 - b. engaging in official public matters with representatives from other governments, business, industry or labour leaders, or other community leaders;
 - c. sponsoring or hosting conferences;
 - d. hosting ceremonies / recognition events; and
 - e. other official functions, as approved by the CAO, their designate, or Council.

Signing Authorities

7. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Member of Town Council	CAO or designate AND Audit Committee Chair.
CAO	Mayor or designate AND Audit Committee Chair.
Town Employees	Immediate Supervisor AND CAO or designate.

8. The Director of Finance shall act as the CAO's designate when the CAO is away from the office.
9. A Signing Authority is prohibited from authorizing payment of hospitality expenses incurred on their own behalf.

Prior Authorization

10. Subject to this policy, all hospitality events require prior authorization.
11. A request for prior authorization for hospitality events requires the following information:
- rationale/purpose of the event;
 - estimated numbers of attendees and their respective affiliations;
 - if alcohol is to be provided at the event, the reasons that the provision of alcohol is appropriate and warranted in the circumstances;
 - estimated itemized costs including gratuities and supplementary expenses.
12. Requests for hospitality events shall be reviewed by either the CAO or their designate, or Council, who shall consider the value and benefit of the proposed event in relation to its cost in deciding whether to approve the hospitality event.
13. In instances where a hospitality event has been held without prior approval, claims for reimbursement must provide the details outlined above and include a document outlining the reasons prior approval was not possible.

Serving of Alcohol

14. While the standard for hospitality is the provision of non-alcoholic beverages, the provision of alcohol in the context of hospitality for reasons of diplomacy, protocol, business development or promotional advocacy is deemed an acceptable expense in limited circumstances. Any request for approval to serve alcohol at a hospitality event must have prior approval by the CAO or their designate, or Council.
15. The Town of Middleton, its employees and members of Council are expected to act responsibly in the use of public funds and in the care and well-being of themselves, other employees, and their respective guests with respect to the serving of alcohol.
16. The Town of Middleton will demonstrate good judgment in the reasonableness of the quantity and expense of alcoholic beverages offered to guests.
17. If alcohol is provided at a hospitality event, food must be served.

Gifts

18. For reasons of diplomacy, protocol, business development or promotional advocacy, the giving of token gifts to individuals outside of government is sometimes appropriate. Any giving of gifts requires prior approval by the CAO or their designate, or Council. No specific dollar limit is set by this Policy. **The amount to be spent on a gift shall be reasonable and appropriate relative to the event for which the gift will be given.**

Claims for Reimbursement of Hospitality Expenses

19. Claims for reimbursement of hospitality expenses must be submitted on the form provided by the Town of Middleton and shall be signed by the Claimant.
20. Hospitality expense claims must include the following:
 - a. a copy of the signed prior authorization for the hospitality event for which the expense was incurred;
 - b. the names and positions of the guests at the hospitality event;
 - c. the business objective for the expense;
 - d. a detailed itemized receipt for the expense.
21. Debit or credit card transaction records are not acceptable as receipts.
22. Hospitality expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
23. No hospitality expense claim shall be paid unless the claim is first approved for payment by two Signing Authorities who have authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:

- a. the claim is consistent with this policy;
 - b. the expenses claimed were necessarily incurred in the performance of municipal business;
 - c. appropriate receipts are provided to support the claim, and that the claim documentation is appropriately filed;
 - d. the expenses claimed have appropriate justification.
24. In considering a hospitality expense claim for payment, a Signing Authority may request additional explanations, documentation, or justification from the claimant, and may refuse to approve any claim or expense did not have prior authorization and that the Signing Authority decides is unreasonable or not in compliance with this policy.
25. The use of petty cash to pay a hospitality expense claim is prohibited.

Reporting Requirements

26. Pursuant to s. 65A of the *Municipal Government Act*, the CAO shall ensure that the Town of Middleton does the following:
- a. within ninety (90) days of the end of each fiscal quarter, prepares and posts a hospitality expense report on the Town of Middleton website that describes all the hospitality expenses incurred by the Town of Middleton, including purchases of alcohol, during the quarter;
 - b. by September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the hospitality expense reports for the preceding fiscal year, that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Manual.

Review Requirements

27. The Town of Middleton Audit Committee shall review the hospitality annual summary report by October 31st of each year.
28. By January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this policy and, following a motion by Council, either re-adopt the policy or amend the policy and adopt the policy as amended.

Certification

THIS IS TO CERTIFY that this policy was duly passed by a majority vote of the whole Council at a duly called Council meeting held on the __ day of _____, 20__.

GIVEN under the hand of the CAO and under the seal of the Town of Middleton this __ day of _____, 20__.

Ashley Crocker
Chief Administrative Officer

**REQUEST FOR DECISION
TRAVEL EXPENSE POLICY
RFD#: 058-2023**



To: COTW and Town Council
From: Ashley Crocker, CAO
Date: October 3, 2023 and October 16, 2023
Subject: Travel Expense Policy

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Updated policy document

Recommendation

That Council approve the updated Travel Expense Policy.

Background

These updates are a result of performing review of all the Town's policies and bylaws. One recommendation is to change Section 17 as shown below.

Currently it reads: "The Claimant shall be paid a meal allowance for each meal for which the Claimant is required to pay (i.e. not provided free of cost) in the amount of \$15.00 for breakfast, \$20.00 for lunch, and \$25.00 for supper. This allowance includes gratuities and taxes."

Proposed change: "The Claimant shall be paid a meal allowance equivalent to the federal government rate in effect at the time of travel. This allowance includes gratuities and taxes."

Rationale for the change: aligns allowable expenses with standard governmental rates. Aligns with section 19 which states that kilometrage will be paid at the Provincial rate as determined by the Province. Aligns with healthy workplace policy encouraging healthy eating rather than fast food.

Note – there is no Provincial rate for meal allowances, all other jurisdictions' policies reviewed have varying fee structures, or no fee structure rather they state 'reasonable' expenses will be reimbursed, and many do not appear to have been updated in over 5 or more years.

The table below highlights some of the more recent policies reviewed in NS and PEI compared against

**REQUEST FOR DECISION
TRAVEL EXPENSE POLICY
RFD#: 058-2023**



the Federal rates.

Allowances	Middleton (Current)	Kentville	Mahone Bay	Charlottetown PEI	Federal (Set by CRA)
Breakfast	15.00	17.00	20.00	20.00	23.60
Lunch	20.00	17.25	25.00	25.00	23.90
Supper	25.00	45.25	35.00	45.00	58.60
Incidentals (for overnight only)	0.00	17.30	10.00	15.00	17.50
Total	60.00	96.80	90.00	105.00	123.60

Financial Implications

N/A

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
	Infrastructure	
	Economy	
	Community	
X	Governance	Standardizes policy. Eliminates the need to review and update meal allowance dollar figures in the policy.
	Council Strategic Initiative	

**REQUEST FOR DECISION
TRAVEL EXPENSE POLICY
RFD#: 058-2023**



Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports updating the Town's policies to make them more clear and accurate.

CAO Initials: AC

Target Decision Date: 16 October 2023

**TOWN OF MIDDLETON
CODE A - GENERAL ADMINISTRATION**

Subject: Travel Expense Policy		Number: 2.1
Coverage: Staff & Council		Approved by: Council
Effective Date: Oct 5/87	Revision Date: Oct 1/90; Sept 6/94; May 4/98; May 11/98; Mar 6/00; Dec 4/00; Feb 5/01; July 2/02; Oct 4/04; Oct 3/05, May 1/06; Aug 8/06; May 5/08; April 1/09; Sept 16/19; Oct 16/23	

Policy Statement

1. This policy safeguards the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses incurred by Council members, the Chief Administrative Officer (“CAO”), and Town of Middleton employees in relation to Town of Middleton business.

Signing Authorities

2. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Mayor	Deputy Mayor or CAO or Director of Finance
Member of Council	Mayor or Deputy Mayor
CAO	Mayor or Deputy Mayor
Town Employees	Respective Department Head or CAO or Director of Finance

3. A Signing Authority is prohibited from authorizing expenses incurred on their own behalf.

Individual Responsibilities

4. Everyone who incurs an expense in relation to Town business is responsible for:
 - a. familiarizing themselves and complying with the provisions of this policy;
 - b. completing and submitting expense claims with necessary supporting documentation;
 - c. exercising reasonable diligence and care in incurring expenses prudently and responsibly; and
 - d. with respect to travel, cancelling reservations as required, safeguarding travel advances and funds provided, and considering alternatives to travel such as teleconferencing and videoconferencing.

Permitted Expenses

5. Subject to and in accordance with this policy, the following authorized/pre-approved expenses incurred by a member of Council, the CAO or a Town of Middleton employee are eligible for reimbursement:
 - a. travel within Nova Scotia, including transportation, accommodation, and meal costs;
 - b. out-of-province travel, including transportation, accommodation, and meal costs;
 - c. training or continuing education costs.

Authorized Travel

6. Council members and Town Employees shall be reimbursed for the reasonable expenses incurred in attending:
 - a. meetings or conferences at which their attendance has been authorized or requested;
 - b. a meeting of any Board, Commission, Committee, or other organization to which they been appointed, except that no reimbursement shall be provided by the Town if they are entitled to reimbursement of expenses directly from the applicable organization;
 - c. attendance at functions, meetings, or conferences of which municipal representatives has been invited or requested or would otherwise reasonably be expected to attend, specifically directed not to attend;
 - d. a training or continuing education event in accordance with the provisions of this policy concerning training and education.

Out-of-Province Travel Authorization

7. All requests for out-of-province travel shall be made in writing and shall contain the following information:
 - a. the purpose and duration of the trip;
 - b. the location(s) to be visited;
 - c. the dates and times of arrival and departure;
 - d. any pre-paid transportation, meals, or accommodation; and
 - e. any other anticipated expenses.
8. All requests for out-of-province travel by Council members shall be reviewed by the CAO and Mayor, who shall consider the necessity for travel based on the information provided.
9. When two or more out-of-province travel requests are made by Council members for the same purpose, the CAO in discussion with the Mayor shall determine the appropriate number of persons necessary to represent the Town.
10. All requests for out-of-province travel by the CAO shall be reviewed by the Mayor, who shall consider the necessity for travel based on the information provided.

11. All requests for out-of-province travel by Town employees shall be reviewed by the CAO, who shall consider the necessity for travel based on the information provided.
12. If a request for out-of-province travel is approved, and the Claimant (not the Town) pays all or some of the expenses for the travel, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this policy.

Training and Continuing Education

13. Training and Continuing Education shall be pre-approved by the Signing Authority and dealt with through the appropriate department's training budget, provided that:
 - a. the request is made, and includes an estimate of all costs that will be incurred, including the course or enrollment fee and all required transportation, accommodation, and meal costs;
 - b. the training or education course, meeting, or conference, is related to municipal government;
 - c. in the case of a Council member, the course, meeting, or conference is completed prior to the next municipal election date;
 - d. the budget for training and education for the year has not been exhausted and would not be exceeded by authorizing the request;
 - e. the Claimant may be required to reimburse the Town for the cost of all or, alternatively the pro-rated cost of a portion, of any enrollment fees in the event:
 - i. of failure to attend all, or alternatively some, of the event without reasonable justification;
 - ii. the Claimant is not successful in completing the course. The Claimant may be given a second chance to successfully complete a written exam before they are required to reimburse the Town; or
 - iii. the Claimant chooses to leave employment within two years of completing the training or education.
14. If the applicable Signing Authority approves an application to incur expenses in relation to training or education, and the Claimant (not the Town) pays all or some of the pre-approved expenses, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this policy.

Limits on Reimbursement of Expenses

15. Notwithstanding any other provision of this Policy, the following limits shall apply to the reimbursement of expenses:
 - a. A Claimant shall only be reimbursed for costs that they have incurred, notwithstanding per diem meal allowances;
 - b. The expenses of a Council member for political activity associated with election or re-election are not reimbursable;

- c. Airplane travel shall either be booked by Town staff or shall only be reimbursed at the lowest rate which would have been available if Town staff had booked the airfare;
- d. Hotel accommodation shall not exceed the average cost of a standard room, double occupancy. Exceptions may be made based on availability, or ergonomic necessities, or last-minute bookings when requested by the employer. Hotel upgrades shall be at the personal expense of the Claimant;
- e. Reimbursement for meals shall not exceed the per diem meal amounts set out in this policy, except in the case of out of province travel, in which event the applicable Signing Authority may authorize reimbursement of meal expenses to a comparable standard;
- f. The cost of any alcoholic beverages shall not be reimbursed;
- g. Fees, deposits, interest, and surcharges incurred on a personal credit card shall not be reimbursed;
- h. When personal and Town travel is combined, only documented expenses directly related to the Town portion are reimbursable. Extended travel time and related expenses are at the traveler's own expense;
- i. Reimbursement shall not be provided for loss of personal effects; for medical and hospital treatment; for purchase of luggage, clothing, and other personal equipment; or for personal services such as shoeshines, valet services, dry-cleaning, laundry, haircuts and other personal services;
- j. There shall be no reimbursement of travel and related expenses for individuals other than a Council member, the CAO, or an employee of the Town;
- k. There shall be no reimbursement for travel by a Council member within the Town.
- l. There shall be no reimbursement for the CAO or employees within the Town, unless an agreement has been made with the CAO/employee for compensation for use of personal vehicles, when the use of the kilometrage rate is impractical.

Travel Advances

- 16. Advances are intended to cover out-of-pocket expenses incurred during travel. The following limits shall apply to the use of advances:
 - a. all advances must be approved by the CAO, Mayor or Director of Finance;
 - b. advances will only be issued where an overnight stay is required;
 - c. the advance must not be approved unless there is a reasonable need for the advance;
 - d. upon completion of the travel for which an advance has been made, the claimant must complete an expense claim in relation to the travel costs that reconciles the amount of the advance with the actual reimbursable expenses incurred. The recipient must repay any part of the advance owing to **the Town of Middleton** within 10 days of completing the travel.
 - e. the use of travel advances is prohibited if the Claimant has a Town credit card;

Per Diem Meal Allowances

17. The Claimant shall be paid a meal allowance equivalent to the federal government rate in effect at the time of travel. This allowance includes gratuities and taxes.
18. Should special dietary requirements negate the ability to participate in a meal that is provided free of cost, and the Claimant must pay for a meal, the claimant shall be paid a meal allowance for that meal.

Travel Allowance

19. The travel allowance reimbursed for Claimants using personal vehicles for authorized travel shall be at **the rate stipulated from time to time by the Province of Nova Scotia as the maximum rate for its employees.**
20. Where several Council members, the CAO, and/or employees of the Town, or any combination thereof, attend the same meeting, conference, or function, each shall make reasonable efforts to share a vehicle.

Vehicle Rentals

21. The cost of rental of a vehicle shall be a reimbursable expense in instances where:
 - a. reasonable ground transportation services such as public transit, taxis or hotel shuttles are unavailable; or
 - b. two or more Council members, the CAO, and/or employees of the Town, or any combination thereof, are traveling together, and it is more economical than the combined cost of other reasonable ground transportation.
22. Compact, economical vehicles must be used unless three or more people are travelling together, the bulk or weight of goods being transported necessitates a larger vehicle, or a compact, economical vehicle is unavailable.
23. For the protection of the Claimant and the Town, Claimants must ensure that adequate insurance (collision, comprehensive and third-party liability insurance) is in place for all drivers by either renting the vehicle using a personal credit card with an insurance option, or by purchasing a policy from the rental agency. The applicable deductible must be the lowest available given the coverage described above.

Expense Claims

24. Expense claims must be submitted on the form provided by the Town and shall be signed by the Claimant.
25. The business reason for each expense must be submitted with all expense claims and a detailed itemized receipt is required for all expense claims except:

- a. claims for per diem meal allowances;
 - b. bridge tokens, or parking meters;
 - c. claims for personal vehicle kilometrage for authorized travel.
26. Debit or credit card transaction records are not acceptable as receipts.
27. Expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
28. No expense claim shall be paid unless the claim is first approved for payment by the Signing Authority who have authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
- a. the claim is consistent with this policy;
 - b. the expenses claimed were necessarily incurred in the performance of municipal business;
 - c. appropriate receipts are provided to support the claim, and the claim documentation is appropriately filed;
 - d. the expenses claimed have appropriate justification.
29. In considering an expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the Claimant and may refuse to approve any claim or expense that the Signing Authority decides is unreasonable or not in compliance with this policy.
30. The use of petty cash to pay an expense claim is prohibited.

Time Frame

31. A claim for reimbursement of an expense shall be submitted for approval within thirty (30) days of the expense being incurred.
32. Expenses must be submitted and charged to the year in which they occurred. Expenses cannot be carried forward to future years.
33. Claimants who charge for goods or services in a fiscal year must have received the goods or services from the vendor in that fiscal year.

Fraud, Misuse or Misappropriation of Municipal Funds

34. Fraudulent irregularity, misuse or misappropriation of Town funds may result in disciplinary action up to and including termination of employment.
35. Suspicious activity and potential misuse of funds must be reported as per **Policy A2.5 Whistle Blower Policy**.

Reporting Requirements

36. Pursuant to section 65A of the *Municipal Government Act*, the CAO shall ensure that the Town does the following:
 - a. Within 90 days of the end of each fiscal quarter, prepares and posts an expense report on the Town's website for the Mayor, CAO (including an employee of the Town delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*) and each member of Council on their expenses regarding the following:
 - i. Travel and travel related expenses, including transportation, accommodation, and incidentals;
 - ii. Meals;
 - iii. Training and education.
 - b. By September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the expense reports for the preceding fiscal year, that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Manual.

Review Requirements

37. The Town Audit Committee shall review the expense annual summary report by October 31st of each year.
38. By January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this policy and, following a motion by Council, either re-adopt the policy or amend the policy and adopt the policy as amended.

Previous Policies

The previous policy A 2.1 "Travel Expense Policy" dated September 16, 2019 is hereby amended.

Certification

THIS IS TO CERTIFY that this policy was duly passed by a majority vote of the whole Council at a duly called Council meeting held on the **October 16, 2023**.

GIVEN under the hand of the CAO and under the seal of the Town of Middleton this **17th day of October 2023**.

Ashley Crocker
Chief Administrative Officer

REQUEST FOR DECISION
Urban Chicken License Application
RFD#: 059-2023



To: Town Council
From: Management
Date: October 16, 2023
Subject: Application to Keep Domestic Fowl Within the Town

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Application form to keep domestic fowl on property at 37 Acadia Street in Middleton
- Letter signed by neighbours, confirming that they do not object to keeping domestic hens at 37 Acadia Street in Middleton
- Bylaw, Ch 32, Farm Animals and Domestic Fowl bylaw

Legislation

- Bylaw, Ch 32, Farm Animals and Domestic Fowl bylaw

Recommendation

That Town Council grant permission to W. Ryan Shephard of 37 Acadia Street to keep no more than 10 hens within the Town of Middleton, subject to the conditions outlined in the Farm Animal and Domestic Fowl Bylaw, Chapter 32.

Background

Mr. Shephard has made application to keep hens on the property at 37 Acadia Street. The property is owned by the United Church and Mr. Shephard is the current Church Pastor. The animals will be kept in an enclosed coop and never roam freely.

The complete application is attached, as is the required proof of notice of neighbours.

Financial Implications

Applicant will provide for the keeping of the hens. There is no cost to the Town.

REQUEST FOR DECISION
Urban Chicken License Application
RFD#: 059-2023



Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
	Infrastructure	
	Economy	
	Community	
X	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

Adjacent properties were consulted. See attached document with signatures.

CAO Comments

CAO Initials: AC

Target Decision Date: October 16, 2023

RECEIVED
OCT 3, 23
MA

TOWN OF MIDDLETON

APPLICATION TO KEEP CERTAIN FARM ANIMALS AND
DOMESTIC FOWL WITHIN THE TOWN

Name of Applicant(s): W RYAN SHEPARD
Address of Applicant: 37 ACADIA ST.
Type of Animals or Fowl: HENS
Number of Animals or Fowl: LESS THAN 10
Location where said
Animals are to be kept: COOP AND RUN

OCTOBER 3, 2023
Date

Ryan Shepard
Signature of Applicant

Permit is hereby granted to the above-named to keep the above-mentioned farm animals or domestic fowl within the Town of Middleton, subject to the conditions outlined in the Farm Animal & Domestic Fowl Bylaw, Chapter 32.

Date

Chief Administrative Officer

Amount of License Fee: NIL

RECEIVED
Oct 3, 23

MA

I, Jason Victor Pauley and, I Rachel Joy Pauley residing at 33 Acadia Street in Middleton, Annapolis County, Nova Scotia, Canada hereby grant permission for neighbours Ryan and Trisha Shepherd residing at 37 Acadia Street in Middleton, Annapolis County, Nova Scotia, Canada to obtain and house domestic fowl within their principal residence dated 25th of September of the year 2023. Any questions to this matter can be directed to the undersigned.

Jason Pauley 25/09/23
Jason V. Pauley

Rachel Pauley 25/09/23
Rachel J. Pauley

**TOWN OF MIDDLETON
CODE A - GENERAL ADMINISTRATION**

Subject: Keeping of Farm Animal and Fowl

Number: 4.1

Coverage: Council, Staff & Public

Approved by: Council & CAO

Effective Date : September 5, 1978

Revision Date: August 8, 2006

Rationale

This policy establishes guidelines for new applications to keep farm animal and fowl.

Policy Statement

- 1) Further to the requirements in the Town's bylaws regarding applications for keeping farm animals and fowl, persons wishing to keep farm animals and fowl who do not already do so shall supply letters from neighbouring residents stating that they have no objections to the application.

- 2) The renewal of licenses is automatic, provided that there are no complaints from neighbouring residents, and the license holders continue to comply with the Farm Animal and Domestic Fowl Bylaw.

References

- 1) Town bylaws, Ch 32, Farm Animals and Domestic Fowl Bylaw

- 2) Town bylaws, Ch 8-2F, Clerk's Duties, Issuance of Licenses

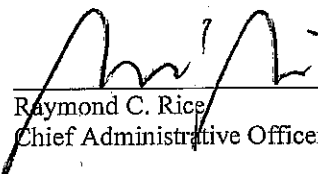
Previous Policies

The previous policy 1/9 "Policy Regarding Keeping of Farm Animals and Fowl" dated September 5, 1978 is hereby amended.

Certification

THIS IS TO CERTIFY that this policy was duly passed by a majority vote of the whole Council at a duly called Council meeting held on the 8th day of August, 2006.

GIVEN under the hand of the Clerk and under the seal of the Town of Middleton this 5th day of March, 2007



Raymond C. Rice
Chief Administrative Officer

Chapter 31 Cont'd.

6. A license issued under this By-law shall be valid until the 31st day of MARCH next following its issue unless sooner revoked or suspended.
7. A license issued hereunder may be suspended or revoked by the Council if the holder thereof fails to comply with Sanitary Regulations respecting Auto Trailers made under the authority of Chapter 13 of the Acts of Nova Scotia, 1962 and amendments thereto, the Public Health Act.
8. Every licensee shall display his license on demand of a Police Officer or constable.
9. The Clerk on payment of twenty-five cents shall replace any license when a person licensed files with the Clerk his statutory declaration that it has been lost, stolen, or destroyed.
10. The Clerk shall keep a record of every license issued by him, with a number on each record corresponding to the number inserted in the license.
11. Every person who violates or fails to comply with any of the provisions of this By-law shall be liable on conviction to a penalty not exceeding Fifty Dollars, and in default of payment to imprisonment for a period not exceeding thirty days.

CHAPTER 32 - FARM ANIMALS AND DOMESTIC FOWL BY-LAW

Council: July 7, 1969
Minister: Sept. 11, 1969

BE IT ORDAINED by the Town of Middleton in Council as follows:

1. No person shall keep cows, horses, mules, asses, sheep, goats, pigs, foxes, mink, geese, turkeys, hens, or other domestic fowl or any of them within the limits of the Town of Middleton, unless, and until such person shall have first applied for and obtained from the Town Council a permit for such keeping.
2. (1) Any person who desires to keep any of the aforementioned animals or fowl within the limits of the Town may make written application to the Town Council addressed to the Town Clerk which application shall be considered by the Town Council as hereinafter provided for at its first regular meeting after receipt of such application.

After due consideration of the application by the Council and the Medical Health Office the Council may grant a permit in writing to the applicant for such keeping provided that such keeping in the opinion of the Council and Medical Health Officer,

- (a) will not create a nuisance as defined by Section 47(3) of the Public Health Act, Chapter 247 of the Revised Statutes of Nova Scotia 1967.
- (b) will not cause physical damage to the person or property of adjoining owners.
- (c) will not be injurious to the public health.

**REQUEST FOR DECISION
APPLICATION FOR A SECONDARY
PLANNING STRATEGY
RFD#: 060-2023**



To: Town Council
From: Ashley Crocker, CAO
Date: October 16, 2023
Subject: Application for a Secondary Planning Strategy

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Letter from Parsons Investments Ltd. dated October 12, 2023
- Draft Subdivision Site Sketch

Recommendation

That Council accept the application made by Parsons Investments Ltd. to amend the Municipal Planning Strategy and direct staff to initiate a Secondary Planning Process.

Background

In July 2021, the Town of Middleton purchased PID 05031703 for the purpose of constructing a new reservoir. Shortly thereafter, Parsons Investments Ltd. ("Parsons") approached Council to discuss plans for constructing a subdivision in that area. Parsons had purchased other PIDs surrounding the Town's PID, which presented a problem for their proposed subdivision plans. As a result, an Agreement in Principle was signed by both the Town and Parsons in November 2021. Part of this document included an agreement to swap land. Parsons proposed subdividing one of their lots and selling it to the Town, in exchange for purchasing the Town's PID. This land swap was executed in the past couple of months. CBCL has approved the new site for the reservoir, and this has already been incorporated into their reservoir design.

The PIDs owned by Parsons encompass almost 100 acres and are vacant lands that are not serviced with public streets, sanitary or storm sewer, or water infrastructure. The lands are all zoned "Residential Holding" (RH). In order to develop and re-zone these PIDs, Policy R8.4 in the Town's Municipal Planning Strategy (MPS) requires an amendment to the MPS to initiate a Secondary Planning Process.

Parsons has made a request to the Town to initiate a Secondary Planning Process and amend the MPS in their letter dated October 12, 2023. Town staff and the Town Planner have already prepared an RFP

**REQUEST FOR DECISION
APPLICATION FOR A SECONDARY
PLANNING STRATEGY
RFD#: 060-2023**



document for the development of a Secondary Planning Strategy that can be posted on the Provincial Procurement Site. Staff are waiting for comments from the solicitor. Staff’s goal is to award the RFP before Christmas so that work may begin in the New Year.

Financial Implications

In May 2022, a quote was received to develop a Secondary Planning Strategy in the amount of \$60,000 plus HST. In the 2023-2024 budget, only \$15,000 was included. Per the Town’s Procurement Policy, an RFP for a Secondary Planning Strategy must be publicly tendered. It is difficult to know how much the bids will come in at.

Once the tender process is complete, staff will come back to Council to approve the award. At that same time, a complete financial picture will be presented that recommends how to fund the project.

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
X	Infrastructure	Will lead to increased infrastructure within the Tow
X	Economy	This proposal will boost economic development in Town
X	Community	Will increase the community within the Town of Middleton
X	Governance	A Secondary Planning Process must be initiated for RH zoned land, in accordance with the Town’s MPS and LUB
X	Council Strategic Initiative	Secondary Plan, Initiative #2

Alternatives

N/A

**REQUEST FOR DECISION
APPLICATION FOR A SECONDARY
PLANNING STRATEGY
RFD#: 060-2023**



Community Engagement/Communication

N/A

CAO Comments

The CAO supports initiating a Secondary Planning Strategy.

CAO Initials: AC

Target Decision Date: 16 October 2023

PARSONS

INVESTMENTS LTD

Town of Middleton
131 Commercial Street, Middleton
PO Box 340
Middleton, NS B0S 1P0

October 12, 2023

Attn: Mayor Atkinson & Council

Dear Mayor and Council,

I am writing to provide an overview of the proposed residential development project within the Town of Middleton, which encompasses an area of approximately 95 acres and is expected to accommodate approximately 450 individual lots. This ambitious undertaking presents a unique opportunity to diversify the community, offering a wide range of housing options, consistent with the Provincial Interest for Housing including townhouse developments, semi-detached and multi-unit complexes, apartment buildings, and single-family dwellings. It is important to emphasize that this development is designed not only to enhance the local housing landscape but also to address the pressing need for affordable housing in our region. Additionally, we anticipate possible minor commercial development along Veterans Lane, particularly near Freeman Street.

Parsons Investments Limited currently owns a total of five parcels, encompassing nearly 95 acres situated between Junction Road and Victoria Street within the Town.

The Parsons' lots are identified as:

- PID 05031836 30 acres
- PID 05082854 12 acres
- PID 05031299 12.75 acres
- PID 05031703 29.5 acres
- PID 05031430 10.64 acres

Please note that there are additional lands in the Residential Holding (RH) Zone that are not owned by Parsons Investments Limited. It is important to note that some or a portion of these lands may lack street access, sanitary and / or storm sewer infrastructure, and water services.

The Town's Municipal Planning Strategy acknowledges that circumstances evolve, and amendments to the Municipal Planning Strategy and Land Use By-law may be warranted. Our development proposal aligns with the Town's vision and goals, as it addresses the pressing need for housing and introduces a variety of new housing options.

The Town of Middleton is well-equipped with the necessary infrastructure to accommodate new residents. Facilities such as schools, hospitals, parks, churches, playgrounds, and a community college, among others, make our town an attractive destination for individuals and families looking to establish roots. Additionally, the proximity of 14 Wing Greenwood, Atlantic Canada's largest air force base, only 10 to 15 minutes away, further contributes to our town's appeal.

To advance this project, we are seeking the Town's support and collaboration in addressing common areas of concern, which include:

- Infrastructure upgrades
- Promotion of the development
- Development costs
- Rezoning considerations
- Appropriate land use for the entirety of this development

Based on the data from the 2016 census, the average number of people per household was determined to be 2.3. Should we proceed with the proposed 450 lots, this would result in an increase of approximately 1,035 individuals in the Town of Middleton. Moreover, with an estimated assessed value of \$400,000 per lot upon full development, the project is anticipated to yield an annual increase of approximately 4 to 5 million dollars in tax revenue. This surge in population and improved housing options will also serve as a catalyst to attract new businesses to our community, fostering economic growth and development.

In our commitment to a comprehensive approach, we respectfully request an amendment to the Municipal Planning Strategy and the initiation of a Secondary Planning Process, as outlined in Policy R8.4 of the Town of Middleton Municipal Planning Strategy.

For your reference, we have attached a concept plan of the proposed development site. We look forward to discussing this opportunity in more detail and collaborating with the Town of Middleton to bring this project to fruition. Your support is invaluable as we work together to create a brighter and more prosperous future for our town.

Thank you for your time and consideration. We eagerly anticipate the opportunity to meet and discuss this proposal further.

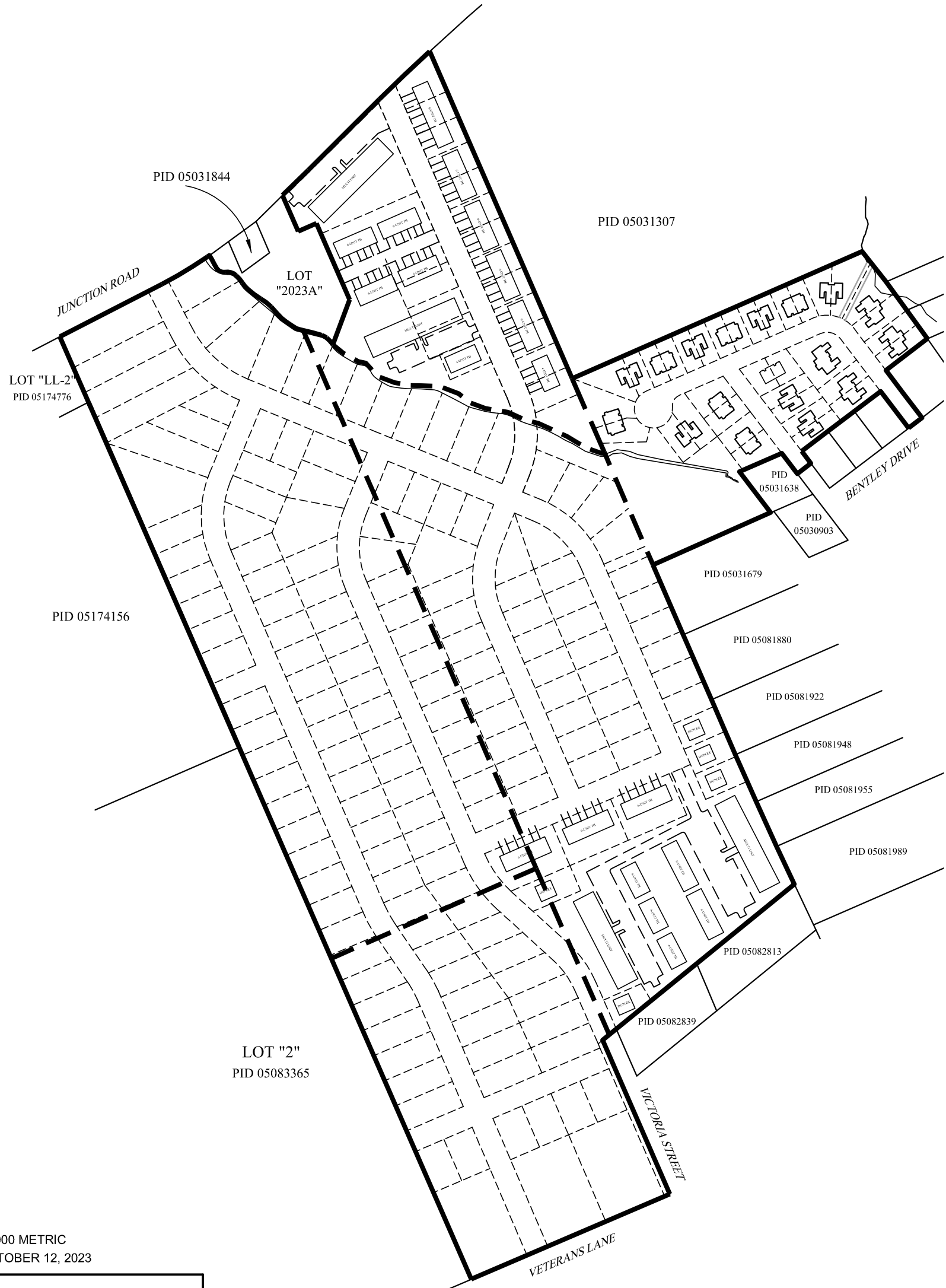
Sincerely,

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

Craig Parsons

a: PO Box 24, Kingston, NS, B0P 1R0
p: (902) 765-6312 | f: (902) 765-3125
e: craig.parsons@parsonsinvestments.ca
w: www.parsonsinvestments.ca

S K E T C H



SCALE 1:4000 METRIC
DATED OCTOBER 12, 2023

**DeWOLFE & MORSE
SURVEYING LIMITED**

PO BOX 520
MIDDLETON
NOVA SCOTIA
B0S 1P0

Middleton Accessibility Advisory Committee Action Plan Tracking Template

Priority	Responsibility	Item	Pending	In Process	Completed	Area	Time frame
1	Council	Request Council add a line item in the annual budget beginning in 2023 for accessibility (training, upgrades, infrastructure etc.)			\$10,000 included in 2023 budget and on agenda for future budgets	All Areas	Short term
2	Council	In the short-term, smooth out minor sidewalk and pathway hazards, especially within the core of the Town, while developing a capital improvement and maintenance plan to address sidewalks, curb cuts, auditory, visual and tactile markers at intersections where necessary, etc. in the long-term.		Public works has identified areas of concern and work is underway to correct; ongoing process to identify areas as they occur,		Built Environment	Medium-Term
3	Council	Train staff who are responsible for delivering accessible services with diverse abilities.				Goods & Services	Medium-Term
4	Council	Adopt and implement the Universal Access Symbols System.	After audit			Information & Communication	Long-Term
5	Council	Waive entrance fees at leisure activities for individuals whose role is to support a person with a disability.			Completed, to be implemented at next event	Goods & Services	Short-term
6	Committee	Complete Accessibility Audits of all Town owned/shared properties including cost estimates and an implementation plan that can be incorporated into the Town's Capital Investment Plan.	To be scheduled ASAP			Built Environment	Long-Term
7	Committee	Share opportunities for accessibility training with residents and local businesses online or in person and with the staff to create a more	Upcoming training for committee members to deliver information			Awareness and Capacity Building + Goods and Services	Long-Term

		inclusive, educated, accessible and welcoming community.	sessions and consultations locally				
8	Council	Review the Town's Land Use Bylaw to address accessibility issues such as constructing ramps within the minimum setback for an existing structure.			Municipal Planning Committee – ongoing	Awareness & Capacity Building	Medium-Term
9	Council	Improve snow clearance on sidewalks and on curbs between street and sidewalks.			Manager of Public Works met with the AAC; Improvements to snow removal implemented	Goods & Services	Medium-Term
10	Committee	Explore grants and possible subsidies for people with disabilities and/or low income to be able to access transportation.			There is a grant and discount program in place; Wheelchair tie-down and and bicycle mounts on busses	Transportation	Long-Term
11	Council	Improve support and flexibility in the workplace by ensuring staff and Council with disabilities have access to adaptive technologies and accommodations in the workplace.		Identification process underway, wellness grant in place		Employment	Medium-Term
12	Committee	Work with recreation facilities such as the pool, arena, curling club, and local fitness centers to advocate, encourage and share resources that enhance accessibility.		Accessible pool lift is in place;research underway for accessibility grants		Goods & Services	Medium-Term
13	Committee	Explore partnerships with local organizations [i.e., Rotary Club, Lion's Club), Kinsmen Club, and others) to assist with the purchase of bus shelters and benches,		Benches have been purchased, Staff is reaching out to local organizations		Transportation	Long-Term
14	Council	Town staff to work with Kings Transit and other transportation services to		In Process		Transportation	Long-Term

		review snow removal at transit stops.					
15	Committee	Engage the Department of Community Services, Kings Transit and Trans County Transportation Society to explore fare/pass subsidies for individuals experiencing ability and/or income challenges.				Transportation	Long-Term
16	Committee	Identify and promote resources and opportunities for removing barriers in businesses and organizations.				Awareness and Capacity Building	Long-Term
17	Council	Build capacity among staff and senior leadership by offering training to cultivate a culture of inclusion that supports, retains, and provides opportunities for career growth to people of all abilities.		Provincial Business Grant information was shared with local business and Middleton Area Business Association		Employment	Medium-Term
18	Council	Add a budget item to pay for assistive devices or accommodations for employees who need them to succeed at their job.		Currently a practice on a case by case basis	Is there a policy and procedure?	Employment	Short-term
19	Council	Until all services and programs are fully accessible, provide an adapted listing of recreation programs and services for people of all ages and abilities and update it annually.		In Process		Goods & Services	Medium-Term
20	Committee	Work with CORAH, the Centre for Rural Aging and Health, or other organizations to develop and implement a vulnerable person's check-in program.			Developed following the Community Needs Survey by voluntary disclosure	Goods & Services	Short-term
21	Committee	Work with community organizations such as places of worship to create a neighbor-to-neighbor check-in during times of stress.			Middleton Neighbours Helping Neighbours facebook group implemented by community member and supported by town staff	Goods & Services	Short-term

22	Council	Work with building and development staff to understand the current discrepancies with codes.		Underway, input from Province is needed		Built Environment	Long-Term
23	Council	Work with Annapolis County, Annapolis Royal, and other neighbouring municipalities to develop the same standards to ensure consistent implementation.	Provincial standards are being developed			Built Environment	Medium-Term
24	Committee	Work with First Responders to identify local issues and create a referral process to the existing vulnerable sector list.				Goods & Services	Medium-Term
25	Council	Create an accessible playground at Rotary Raceway Park.				Goods & Services	Long-Term
26	Council	Provide accessible exercise equipment at Town-run recreation programs.		Tricycle, swimming pool lift		Goods & Services	Long-Term
27	Committee	Identify and adopt standards beyond the minimum for facilities and infrastructure.	Provincial standards are being developed			Built Environment	Long-Term
28	Committee	Explore options for public washrooms that are accessible and available year-round in public spaces and make recommendations to council.				Built Environment	Long-Term
29	Council	Ensure there are appropriate and supportive leave practices and return to work plans, and a flexible work environment such as the ability to work from home if necessary.				Employment	Medium-Term
30	Committee	Encourage private businesses and developers to use the same standards adopted by the Town of Middleton.	Provincial standards are being developed			Built Environment	Medium-Term
31	Committee	Perform a Community Needs Assessment Survey to find out what the best means of communication is for Town of Middleton residents regarding news, upcoming events,			Completed in 2022	Information & Communication	Short term

		programs, and emergency response.					
32	Committee	Encourage training for operators and drivers of public transportation to be able to better assist individuals with disabilities.				Transportation	Short-term
33	Council	Establish an Accommodation Fund to provide services for residents who need accommodation such as Communication Access Realtime Translation (CART) and American Sign Language (ASL) for Town meetings and functions.				Goods & Services	Long-Term
34	Council	Develop and implement accessible communication standards in all Town communication methods and situations. For example, all print fonts should be sans serif.				Information & Communication	Medium-Term
35	Council	Complete a review and re-design of the website to address concerns and improve accessibility				Information & Communication	Medium-Term
36	Council	Incorporate "say or touch" technology in the phone system.				Information & Communication	Long-Term
37	Committee	Encourage partner agencies to achieve the same standard of communication.				Information & Communication	Short-term
38	Committee	Investigate strategies to reach a wider more diverse audience for job postings.				Employment	Short-term
39	Council	Survey the current workforce to get a baseline of data of ages, and abilities of employees.				Employment	Short-term
40	Council	Complete a study of making part of Commercial Street one-	Transportation Master Plan			Built Environment	Medium-Term

		way as part of Transportation Master Plan.	process is pending				
41	Council	Provide incentives to property owners/businesses who meet the Town's standards.				Built Environment	Medium-Term
42	Council	Develop an all ages and abilities cycling route in Middleton through a partnership with the Blue Route Hub Project, Bicycle Nova Scotia.	Council has accepted plan, to be included in Transportation Master Plan process			Transportation	Medium-Term
43	Council	Provide Sign Language Interpreters, on request to enable people to participate in Town run recreation and library programs.				Goods & Services	Medium-Term

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To keep the report short, but informative, only strategic priorities and capital projects that have an update will be mentioned in this report. A complete update on the strategic priorities and capital projects will be delivered quarterly in the future.

COUNCIL'S STRATEGIC INITIATIVES

#	STRATEGIC INITIATIVE	UPDATE
1	Community Centre & Fire Hall To build a new accessible and inclusive Community Centre & Fire Hall	<ul style="list-style-type: none">• Staff have explored three different grant programs to help fund the new Community Centre Fill Hall• The CCFHC instructed staff to explore a phased approach with JOST and the low bidder.• Received phased approach, working on setting up another committee meeting to discuss
2	New Reservoir To build a new reservoir to serve the customers of the Middleton Water Utility	<ul style="list-style-type: none">• A grant application for DMAF for the new reservoir was submitted. Expecting to hear in the January/24 timeframe• Land swap for reservoir is now complete
3	Economic Development Initiatives To concentrate on economic development initiatives that support business park growth, brand awareness and small business	<ul style="list-style-type: none">• COMPLETE – the final plan document on the Business Park Expansion Study was received and presented to Council on Nov 21st
4	Public Safety To address public safety concerns in the downtown and public spaces	<ul style="list-style-type: none">• Concerns that are brought forward by Mayor and Council during COTW and Council meetings continue to be communicated to public works for investigation. Many of these concerns relate to safety of sidewalks, crosswalks, and roads.
5	Infrastructure Maintenance To develop an asset management plan focused on improving the maintenance of town infrastructure	<ul style="list-style-type: none">• Final Asset Management Report was received from AIM• Staff need to investigate next steps and use the Asset Management Plan when preparing the Capital Budget for the 2023/2024 budget year - this is in progress• The data sets from AIM are being input into the Local Information Utility (LIU).

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OPERATIONAL PRIORITIES

#	STRATEGIC INITIATIVE	UPDATE
1	Boundary Review Prepare RFP and Award RFP	<ul style="list-style-type: none">• COMPLETE: the UARB have approved Council's request to maintain the Council size at 7, with 6 Councillors and 1 Mayor, all elected at large
2	Secondary Plan Finalize scope of work and award work to third party	<ul style="list-style-type: none">• Land swap has been executed with the developer which is a positive first step to this proposed development• The developer now has access to the lands needed to solidify plans for a new subdivision• Staff have applied to the Housing Accelerator Fund• Staff have drafted an RFP for a Secondary Plan
3	Main Street/Taylor Drive Crosswalk Move crosswalk	<ul style="list-style-type: none">• COMPLETE: The Crosswalk Light has been installed, and the overhead light is now working.
4	Second Lake Agree on key points for partnership agreement with AEA Club	<ul style="list-style-type: none">• No further update - staff have met with the AEA Club to further build the draft of the new lease agreement

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OPERATIONAL UPDATES

ADMINISTRATION

Completed	In Progress	Issues
<p>Staffing:</p> <ul style="list-style-type: none">• Teambuilding Event, BBQ and Games at Rotary, Sept 28th• Code of Conduct Training completed Sept 27th• Social Media Policy review with staff completed Sept 27th	<p>Staffing:</p> <ul style="list-style-type: none">• Working on formalizing employment contracts for some staff	<p>Staffing:</p> <ul style="list-style-type: none">• Work continues with the Fire Chief regarding a firefighter complaint made to NS OH&S and the Ombudsman Office
<p>Project Work:</p> <ul style="list-style-type: none">• Received feedback on Housing Accelerator Fund application and uploaded responses	<p>Project Work:</p> <ul style="list-style-type: none">• Signing of DA for Bruce Auto• Received phased approach plan from JOST for Community Centre Fire Hall project – need to set up committee meeting• Working with Annapolis County on providing services for Building/Fire Inspection• Working on Formal Order under the D&U Policy	<p>Project Work:</p>
<p>Other Items:</p> <ul style="list-style-type: none">• Agreement with Annapolis County for RCMP Office – waiting for approval from Annapolis County before signing	<p>Other Items:</p> <ul style="list-style-type: none">• Assigned priorities to staff for High Risk Action Plan – several initiatives are already underway• Management team reviewing priorities, policies, and by-laws• Public Meeting to be held in near future to discuss development in Town	<p>Other Items:</p>

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FINANCE

Completed	In Progress	Issues
<ul style="list-style-type: none">2022/23 Audit completed and approved by the Audit Committee.	<ul style="list-style-type: none">Monthly financial reports being sent to departmental managers.	<ul style="list-style-type: none">Update financial policies to reflect actions of High-Risk Action Plan
<ul style="list-style-type: none">2022/23 Financial Statements submitted to the Province Oct 10/23.2023/24 SOE-A and SOE-B were submitted on Oct 12/23.	<ul style="list-style-type: none">Bank recs for June to AugustForecast (operating and capital) for November CouncilReview bank accounts to determine which ones to keep and which ones to close.	<ul style="list-style-type: none">Creation of consolidated balance sheet, income statement and FCI calculations to use as part of strategic decision-making process.
<ul style="list-style-type: none">WCB Monthly and WCB Quarterly for Fire Hall submitted and completed.Staff and Council Salaries paid for the period ended 7th October 2023.	<ul style="list-style-type: none">Water Rate Study has been initiated with Gerry Isenor.Water Bills for Q3 2023 will be ready for mailing next week.Source deductions will be ready before 25th October 2023.	<ul style="list-style-type: none">Making better use of the modules in Diamond:<ul style="list-style-type: none">changes need to be made to settings in the bank reconciliation module.Begin using the Accounts Receivable module.
	<ul style="list-style-type: none">Training for the DOF will commence next week.	<ul style="list-style-type: none">Variation in Audit fees requested by BDO.

RECREATION & COMMUNITY DEVELOPMENT

Completed	In Progress	Issues
<ul style="list-style-type: none">• Strategic plan and annual review with province for MPal position	<ul style="list-style-type: none">• File closure on Canada Summer Jobs• Preparation for Haunted House in partnership with Macdonald Museum• Roll out of programs coming out of Active Community Fund, including Learn 2 Run, a new biking component, and NSCC walking program• Roll out of After School programs at both schools. Recruitment of monitors underway• In talks with CORAH for new programs.• Master transportation plan• Preparing wetland for official launch• Participation in review and update of old policies and bylaws• The proposed updates for the Accessibility Standards for the Built Environment have been released and are being reviewed now.• The community conversations about food security continue with partners throughout the Valley	n/a

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PLANNING

Completed	In Progress	Issues
<ul style="list-style-type: none"> Kick-off meeting with new Town Planner – Brighter Community Planning and Consulting 	<ul style="list-style-type: none"> Development Agreement (DA) - application to convert a building from four residential units to five residential units Planner working on draft (DA) Applicant working on consolidation of the lots. 	<ul style="list-style-type: none"> Working on options for fire and building inspection services.
	<ul style="list-style-type: none"> DA - application for a grouped dwellings on School Street was approved by Council on July 17 and no appeals were lodged. Revised plans from applicant as per conditions of approval have been submitted and agreement has been sent to the solicitor for review. Director of Public Works is working on agreement for the street infrastructure upgrades. 	
	<ul style="list-style-type: none"> DA – application for a development on Commercial Street which will add one commercial unit and 6 residential units to an existing building was approved by Council on July 17 and no appeals were lodged. Planner has completed draft agreement. Revised plans from applicant as per conditions of approval have been submitted and are being reviewed. 	
	<ul style="list-style-type: none"> Bruce Auto Group: approved by Council on September 5 and no appeals were submitted. 	
	<ul style="list-style-type: none"> NS Director of Planning reviewed the package for the MPS-LUB housekeeping amendments and requires additional items to be added to the amendments and resubmitted. 	
	<ul style="list-style-type: none"> Draft Subdivision Bylaw 	

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PUBLIC WORKS

Completed	In Progress	Issues
<p><u>General Public Works:</u></p> <ul style="list-style-type: none"> Security system monitoring contract has been received and is being reviewed 77 School Street project infrastructure requirements are complete 	<p><u>General Public Works:</u></p> <ul style="list-style-type: none"> Collecting data for the new work order system Security fencing for the PW yard is complete Draft Municipal Specifications Manual is being worked on 	<p><u>General Public Works:</u></p>
<p><u>Public Works Equipment:</u></p> <ul style="list-style-type: none"> New Backhoe has been ordered from Maritime Case 	<p><u>Public Works Equipment:</u></p> <ul style="list-style-type: none"> Were not awarded grant from municipal innovation for Hippo PW truck that was stolen has been taken for a mechanical inspection Heat pumps in all buildings need to be serviced 	<p><u>Public Works Equipment:</u></p> <ul style="list-style-type: none"> AC compressor does not function in Loader, a quote has been requested
<p><u>Roads, Streets, Sidewalks:</u></p> <ul style="list-style-type: none"> Patch paving and line painting is complete Victoria Street sign was put back up 	<p><u>Roads, Streets, Sidewalks:</u></p> <ul style="list-style-type: none"> The sidewalk at King and Makenzie is being repaired Investigating converting crosswalk lights to LED Bricks along sidewalks 	<p><u>Roads, Streets, Sidewalks:</u></p> <ul style="list-style-type: none"> Main St. should be considered for capital paving project
<p><u>Water & Equipment</u></p> <ul style="list-style-type: none"> Water connection on Brooklyn Rd. has been completed 	<p><u>Water & Equipment</u></p> <ul style="list-style-type: none"> Well #2 is now offline – awaiting DJ’s Well Drilling to start Well #2 service and pump replacement Emergency Action Plan for reservoir is being worked on 	<p><u>Water & Equipment</u></p> <ul style="list-style-type: none"> Lily Lake feeder pipe - found to be an old well and should be budgeted to be decommissioned. Staff investigating equipment that is currently not working (wellfield level sensors and monitoring, flow meters for wells) quotes have been requested
<p><u>Wastewater & Equipment</u></p> <ul style="list-style-type: none"> Annual generator service has been scheduled for the WWTP and portable generators. 	<p><u>Wastewater & Equipment</u></p> <ul style="list-style-type: none"> Marshall St. sewer line needs to be fixed – still trying to find someone to do the work. 	<p><u>Wastewater & Equipment</u></p> <ul style="list-style-type: none"> No SCADA monitoring system in 4/5 sewer lift stations or alarms

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FIRE DEPARTMENT

Completed	In Progress	Issues
<ul style="list-style-type: none">• Received our donated generator from EHS, temporarily hooked up for now• Annual assistance with the Heart of the Valley Festival• Annual assistance with the Heart Run and Century Ride• Annual assistance with the Lawrencetown Exhibition week• Attended an Annapolis County fire services meeting• Fire prevention committee assisted with a fire drill at Middleton Meadows and also held an information session for the summer recreation group program at the fire hall	<ul style="list-style-type: none">• Level 1 Fire Fighter training from the NS Fire school has started with Middleton being the host department, we have 2 members taking the program• Weekly fall training has started• In the process of getting quotes of repairing the back door and wall casing, frame is rotten and in need of repairs. In addition to this, will be getting an estimate on installing the donated generator so it is on a fixed pad and will automatically come on when power goes out.• Making plans for our November annual banquet and awards night	<ul style="list-style-type: none">• The old 32 year old pumper is having wiring issues and lighting problems, unfortunately it is soon time to make a decision on the future of this truck for firefighting use

Incident Summary
From Sep 1 23 to Sep 30 23

Date/No.	Address/Type	Minutes	Responders	Injuries	Fatalities
Sep 1 23 23-07305	15:56:41 263 Dodge Rd, WILMOT RESCUE	102	0		
Sep 4 23 23-07387b	06:32:58 336 Main St, LAWRENCETOWN Mutual Aid to the Scene	89	0	Assistance to 23-07387	
Sep 7 23 23-07476	03:00:12 205 Marshall St, MIDDLETON Commercial Fire Alarm	0	0		
Sep 8 23 23-07507	10:39:02 12827 Highway 1, BRICKTON Trash/ Garbage bin fire	33	0		
Sep 8 23 23-07509	11:26:18 83 Victoria St, MIDDLETON Medical	13	0		
Sep 16 23 23-07814	12:47:55 1 Ross Ln, MIDDLETON Power Lines Down, Arcing	61	0		
Sep 16 23 23-07838	22 Park St, MIDDLETON Power Lines Down, Arcing	0	0		
Sep 23 23 23-08141a	13:41:12 Highway 101, Dm 160, CLARENCE EAST Mutual Aid to the Scene	46	0	Assistance to 23-08141	
8 incidents for Middleton		5 hrs 44 mins	0		
		5 hrs 44 mins	0		

MAYOR'S REPORT

OCTOBER 2023

September 20, Attended the IMSA meeting.

September 21, Represented Council at the Museum Jail fundraiser and was the top fundraiser for the day.

September 23, Volunteer Awards Presentation.

September 30, Sports Wall of Fame Event.

October 3, Audit Committee Meeting, Special Council Meeting and Committee of the Whole.

October 12, Attended Kings Transit Public Consultation.