



TOWN COUNCIL AGENDA

June 14, 2022

7:00 p.m.

YouTube Live

Let us begin by acknowledging that we are gathered today in Mi'kma'ki. The ancestral, present and future territory of the Mi'kmaw people. Today, we gather with the intent followed by the living Peace and Friendship Treaties - with respect, cooperation and coexistence.

Call to Order

1 Approval of Agenda

2 Minutes

2.1 May 26, 2022 – Regular

2.2 May 31, 2022 – Special

3 Presentations

4 Correspondence – Action Items

4.1 Pastor Brooklynn Lane, St. John's Lutheran Church – Request for a PRIDE crosswalk.

4.2 Heidi Walsh Sampson – Proposal to settle.

4.3 Moira Devereaux, Fluid Motion Physiotherapy – Old Fire Station Building

4.4 Susan Seltzer – Peace and Good Order By-law

5 Correspondence – Information Items

5.1 NSFM – Monday Memo – May 23, 2022

5.2 NSFM – Monday Memo – May 30, 2022

5.3 Patty Livingstone – Thank-you to Council and Staff

5.4 NSFM – Monday Memo – June 6, 2022

5.5 Letter from Planning Staff RE 66 Clairmont St Rezoning Request

5.6 Letter from Planning Staff RE 66 Clairmont St Request for Development Agreement

5.7 Jennifer MacIntyre, DMAH – NS Housing Needs Assessment

6 Staff Reports

6.1 Staff Report to Council – June 14, 2022

6.2 Staff Report to Council – Signing Authority

6.3 Staff Report to Council – Appointment of Treasurer

7 Council Items

7.1 Mayor Devenne – Letter of Support for Events Levy

7.2 Mayor Devenne – Letter of Support for MacLeod Group

8 Committee Reports

8.1 Cemetery Committee Minutes – May 20, 2022

a. Memo – By-law Amendments

b. Draft Cemetery By-law

8.2 Policy and Strategy Committee – May 30, 2022

8.3 Climate & Environment Advisory Committee Meeting – June 1, 2022

9 New Business

10 Closed Session

10.1 MGA 22(2)(e) - contract negotiations

10.2 MGA 22(2)(f) - litigation or potential litigation

The Regular Meeting of Town Council for the Town of Mahone Bay was held on Thursday, May 26, 2022 at 7:00 p.m. broadcast via YouTube live.

Present:

Mayor D. Devenne
Deputy Mayor F. Kangata
Councillor P. Carver
Councillor R. Nowe
Councillor K. Wilson
Councillor J. Feeney
Town Clerk and Deputy CAO, M. Hughes
Deputy Clerk, K. Redden

Absent: CAO, D. Heide (regrets)

Gallery: online

Land Acknowledgement

Let us begin by acknowledging that we are gathered today in Mi'kma'ki. The ancestral, present and future territory of the Mi'kmaw people. Today, we gather with the intent followed by the living Peace and Friendship Treaties - with respect, cooperation and coexistence.

1. Agenda

A motion by Councillor Wilson, seconded by Deputy Mayor Kangata, **“THAT the agenda be approved as amended to include item 5.8 correspondence from Bruce Bardon via solicitor John T. Shanks – expropriation of lands.”** **Motion carried.**

2. Minutes

A motion by Councillor Feeney, seconded by Councillor Carver, **“THAT the minutes of the May 10, 2022 regular meeting of Council be approved as presented.”** **Motion carried.**

3. Presentations

No presentations.

4. Correspondence – Action

4.1 Heidi Walsh Sampson – Town of Mahone Bay Solar Garden Project.

This item was deferred for discussion under item 6.7.

4.2 Brooke Nodding, Coastal Action Foundation – Request for financial support for the construction of the Mahone Bay Living Shoreline.

A motion by Councillor Feeney, seconded by Councillor Wilson, **“THAT staff arrange a meeting with Coastal Action, Council and Town staff to receive more detailed information concerning the request for financial support.”** Motion carried.

5. Correspondence – Information Items

5.1 NSFM – Monday Memo – May 9, 2022

5.2 CNSOPB – Vacant Federal Board Position

5.3 Nick Barr, DMAH – Non-Resident Property Tax Removed, Deed Transfer Tax Remains

5.4 Hon. John Lohr, DMAH – 12 Month’s Notice of Provincial Legislation, Regulation or Administrative Actions

5.5 Sherry Costa-Lorenz, Partnership of Awareness Nova Scotia – Provincial Access Awareness Week

5.6 NSFM – Monday Memo – May 16, 2022

5.7 Keith Pomeroy, Mahone Bay Wooden Boat Society – 2021 Financial and Operational Results for the Civic Marina

A motion by Councillor Wilson, seconded by Councillor Nowe, “THAT correspondence items number 5.1 to 5.7 be received and filed and that council direct staff to write a letter of thank you to Keith Pomeroy for providing the 2021 financial and operational results for the civic marina.” Motion carried.

6. Staff Reports

6.1 Council Report

Council received the Staff Report to Council for May 26, 2022.

A motion by Councillor Feeney, seconded by Councillor Carver, **“THAT Council receive the staff report for information.”** Motion carried.

6.2 Accessibility Quarterly Update: January – March 2022

Council received a quarterly update from Ellen Johnson, Accessibility Coordinator.

6.3 Report of the Clerk – Public Hearing May 26, 2022

Council received the Report of the Clerk from the Public Hearing for amendments to the Town’s Solid Waste Management Bylaw.

6.4 Staff Report – Draft Amended Solid Waste Management Bylaw

Council received the staff report outlining the proposed changes to the Solid Waste Management By-law as well as the draft by-law.

A motion by Councillor Nowe, seconded by Councillor Carver, **“THAT council give second reading to the Solid Waste Management By-law as amended.”** Motion carried.

6.5 Staff Memo – Appointment of Fire and Building Officials

A motion by Councillor Feeney, seconded by Deputy Mayor Kangata, “THAT Council appoint Graham Hopkins as a Building and Fire Inspector, as well as an administrator for Dangerous and Unsightly Premises for the Town of Mahone Bay effective May 26, 2022 and until such time as the appointment is revoked.” Motion carried.

A motion by Councillor Feeney, seconded by Councillor Nowe, “THAT Council appoint Ryan Whynot as a Fire Inspector and an administrator for Dangerous and Unsightly Premises for the Town of Mahone Bay, effective May 26, 2022 and until such time as the appointment is revoked.” Motion carried.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT Council appoint Brent Haase as an administrator for Dangerous and Unsightly Premises for the Town of Mahone Bay, effective May 26, 2022 and until such time as the appointment is revoked.” Motion carried.

A motion by Councillor Feeney, seconded by Deputy Mayor Kangata, “THAT Council appoint Earl Woodworth as a Fire Inspector and an administrator for Dangerous and Unsightly Premises for the Town of Mahone Bay, effective May 26, 2022 and until such time as the appointment is revoked.” Motion carried.

6.6 Staff Report – Solar Garden Grading

Council received a staff report with an overview of the recommended grading plan for the Community Solar Garden.

A motion by Councillor Carver, seconded by Councillor Feeney, “THAT Council approve the grading plan as recommended by AREA.” Motion withdrawn.

A motion by Councillor Feeney, seconded by Councillor Wilson, **“THAT items 6.6 and 6.9 be deferred to a special meeting with AREA staff to be scheduled at the earliest opportunity.”** Motion carried.

6.7 Response to Correspondence regarding Solar Garden

Council received a staff report and draft letter responding to a received letter from Heidi Walsh-Sampson.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT Council approve the draft letter to Heide Walsh-Sampson, cc’d to other parties included on Ms. Walsh-Sampson’s letter dated May 10, 2022.” Motion Carried.

6.8 Staff Report – Walking Trails Accessibility

Council received a staff report updating Council on progress in relation to the implementation of the Nova Scotia Accessibility Act and the Lunenburg County Accessibility Plan, and development of the Accessibility Operational Plan for the Town. Recommendations were made pertaining to walking trails, in consideration of current infrastructure projects.

A motion by Deputy Mayor Kangata, seconded by Councillor Wilson, “THAT Council direct staff to reflect accessibility best practices – including proposed chip-seal track/trail surfaces – into the current projects at the Sports Field and Aquatic Gardens Park.” Motion deferred.

6.9 Staff Report – Service Road Design for Community Solar Garden Distribution Line

Council received a Staff Report with an overview of the recommended distribution line service road design for the Community Solar Garden.

Item deferred during discussion of item 6.6.

7. Council Items

7.1 Mayor Devenne – Service Exchange Renegotiation and MGA Review Survey

Mayor Devenne asked Council members how they would like to proceed with the request from NSFM to complete a survey to support the Service Exchange Renegotiation and MGA Review.

Mayor Devenne will send survey to council members. Council will discuss at their upcoming Policy and Strategy Committee when and how to complete survey.

7.2 Councillor Feeney – Staff Appreciation Day

A motion by Councillor Feeney, seconded by Councillor Carver, **“THAT Council designates August 12, 2022 as Staff Appreciation Day and that staff be given that day off in appreciation of their efforts in advancing the Town’s strategic objectives.”**

Motion carried.

9. New Business

No new business.

10. Closed Session

A motion by Councillor Carver, seconded by Councillor Nowe, **“THAT Council go into closed session at 8:43pm to discuss litigation or potential litigation and contract negotiations as permitted by MGA section 22(2)(f) and (e) respectively.”** Motion carried.

Council returned to open session at 10:20 pm.

Business Arising from Closed Session

A motion by Deputy Mayor Kangata, seconded by Councillor Feeney, **“THAT Council direct staff to reflect accessibility best practices –including proposed chip-seal track/trail surface at the Sports Field as part of the current ongoing project.”** Motion carried.

Council adjourned upon motion at 10:21pm.

TOWN OF MAHONE BAY

Mayor, David Devenne

TOWN OF MAHONE BAY

Town Clerk, Maureen Hughes



A Special Meeting of Town Council for the Town of Mahone Bay was held on Monday, May 31, 2022 at 12:00 pm via video conference.

Present:

Mayor D. Devenne
Deputy Mayor F. Kangata
Councillor J. Feeney
Councillor P. Carver
Councillor R. Nowe
Councillor K. Wilson (left from 1:58pm to 2:24pm)
CAO, D. Heide
Town Clerk & Deputy CAO, M. Hughes
Climate & Energy Program Manager, M. Horsman
Development Officer, H. Archibald (virtual)
AREA General Manager, A. Long
Manager of Program Development, L. Wright (virtual)

Absent:

Gallery: online

Land Acknowledgement

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1. Agenda

A motion by Councillor Wilson, seconded by Councillor Feeney, "THAT the agenda be approved as presented." Motion carried.

2. Staff Report

2.1 Staff Report – Solar Garden Grading

A motion by Councillor Feeney, seconded by Councillor Wilson, "THAT Council approve the grading plan as recommended by AREA." Motion carried.

2.2 Staff Report – Service Road Design for Community Solar Garden Distribution Line

A motion by Councillor Wilson, seconded by Councillor Nowe, “THAT Council approve the road design as recommended by AREA.” Motion carried.

3. Closed Session

A motion by Councillor Feeney, seconded by Deputy Mayor Kangata, “THAT Council go into Closed Session at 12:26 pm to discuss contract negotiations and litigation or potential litigation as permitted by MGA section 22(2)(e) and (f) respectively.” Motion carried.

Council returned to open session at 2:28 pm.

Council adjourned upon motion at 2:28 pm.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Mayor, David Devenne

Town Clerk, Maureen Hughes



St. John's Evangelical Lutheran Church
89 Edgewater Street
Mahone Bay, NS
B0J 2E0

May 27, 2022

Town of Mahone Bay
493 Main Street,
Mahone Bay, NS
B0J2E0

Dear Town of Mahone Bay Council:

I am writing this letter as the pastor of St. John's Lutheran Church, located at 89 Edgewater Street, Mahone Bay, Nova Scotia. The church council at St. John's and myself would like to request a PRIDE crosswalk be painted at 89 Edgewater Street. We are currently waiting for this newly located crosswalk to be painted and would love it if it was a Pride crosswalk. At St. John's, we seek to welcome and value all people. Having a Pride crosswalk outside our building, connecting the church and the parking lot, would illustrate our values and beliefs. Not only that, but it would further demonstrate who we are as a town and bring more Pride representation to our town. If you have any further questions, comments or ideas on possible partnerships, please reach out to me at pastorbrooklynn@gmail.com or 902-624-9660. Additionally, below you will find our welcome statement, The St. John's Creed.

Sincerely,

A handwritten signature in black ink that reads "Brooklynn Lane". The signature is written in a cursive, flowing style.

Rev. Brooklynn Lane

The St. John's Creed

We are honoured to be worshiping here today in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People, and we acknowledge them as the past, present, and future caretakers of this land.

Here at St. John's we intentionally welcome all to worship and participate in our community. We believe we are drawn together by the love of Jesus Christ, our care for each other, and our passion for our community. At St. John's, all people are welcome, and we seek to worship in a way that respects and inspires our diversity. We believe that all people are created in the image of God, that all people are of sacred worth, and that Christ died for all people. We believe that God's radically inclusive love excludes no one. We welcome everyone without exception, regardless of age, race, ethnicity, nationality, gender identity, sexual orientation, family or socioeconomic status, educational background, political affiliation, physical or mental ability, faith history or life experience. We believe that the diversity of God's creation is part of what makes it beautiful. We are a church where it is safe to have differences and still remain united in the love of Jesus. No matter who you are, where you're from, or what you believe, you are always welcome at St. John's.

May 18, 2022

Town of Mahone Bay
Nova Scotia

Attention: CAO Dylan Heide
Mayor Devenne
Deputy Mayor Kangata
Town Council

Dear Mr. Heide,

We write on a without prejudice basis to propose the following settlement to the conflict between the Town and the Neighbouring Property Owners concerning the siting of the planned solar energy project.

We request the following:

1. Relocation of a small portion of the panels as follows:

Move the panels that are located on the northern face of the hill at 918 Main Street beginning at the southwest corner of the Mahmoodi-Ghaffari property continuing on the same trajectory of the property line to the Nowlans property (the "**North Face Portion**") and outlined on the map attached. These panels can be relocated along the western, eastern and/or southern side of the sewage treatment plant.

We also request that the setback along the Mahmoodi-Ghaffari line is increased to 10m. When investigating the Mahmoodi-Ghaffari property line, evidence was discovered of trespass over their land. There is clear evidence of regular use of the corner of their property by Town vehicles. It is important that the property line is delineated and protected.

We believe this is a reasonable request for the following reasons:

- a. **Balance of competing interests-** Locating this project directly along property lines of private residences requires balancing the rights and interests of private property owners with those of the general public. We all support the use of solar energy and support the Town's initiative in creating a solar plant but feel that the aggressive positioning of the panels right against our property lines on the north face of the hill is unfair and can be mitigated by this alteration.
- b. **Protects the Mahone Bay Skyline-** The North Face Portion is the most highly visible portion of the project and will be in full view of the bay, our personal residences, Oakland residences, and Main Street. By moving the North Face Portion to the top of

the hill, it will reduce the visibility of the reflective solar panels to the community, boaters and road users.

- c. **The proposed alteration is consistent with Municipal Planning Strategy-** The MPS stated goals include:
 - i. **control land use and development in a manner that will reduce conflicts between incompatible uses and that will not overburden existing services.**
 - ii. **encourage the preservation of the architectural and cultural heritage of the Town and to minimize any impact of change or new development that would negatively affect this heritage.**
 - iii. **encourage development that is compatible with the Town's role as an historic scenic community.**
 - iv. **protect the aesthetics and environment of the harbour and waterfront and to maximize access to the water.**
 - d. **Hillface instability-** It moves that part of the project out of the 'danger zone' for impacting the Sampson property where the flooding is occurring. The North Face Portion has a long history of instability which is caused in part by the high water table and the karst topography. The mudslide which resulted in the 1990s was so powerful that it took out an inground concrete pool on the Sampson property, the outline of which can still be seen on the land. The clearing that took place Jan 27-30 resulted in natural spring disturbances and in increase in overland run-off which is also consistent with its history of a high water table. Moving the North Face Portion to the sides and/or back avoids the risk of further contributing to the hill instability.
2. **Road Access-** The Mahmoodi-Ghaffaris have applied on two previous occasions over several years for the right to use the access road to the sewage treatment plant so they may subdivide their property. At present, they are not permitted to subdivide their property as it does not have road frontage although it fronts onto the access road to the Sewage Treatment Plant. They have an application that has been pending with the Planning Committee for several months and they have been told to be patient as access may result from the construction of the solar plant project. The schematics provided to us indicate trucks moving up and down the access road. We are seeking confirmation that the intent is the access road will be open for use by the neighbouring property owners. Specifically, we ask for the following:
- a. **The Mahmoodi-Ghaffaris are granted right to use the access road to access the rear portion of their property and that the subdivision request be approved.**
 - b. **The schematics also indicate a gate will be installed on the access road to the sewage treatment plant and the solar project. We request that the gate be moved up the access road to the southwest corner of the Mahmoodi-Ghaffari property line.**

- c. As part of the road access, we request that the Nowlans be granted a right of way over the North Face Portion to the access road so that the rear of their property can also be accessed.

3. **Drainage remedy-** The disturbance of the natural springs on the northern hill face has caused a stream to begin forming on the Sampson land and a considerable drainage burden has resulted which the Town will need to remedy. The Sampsons have not consulted an engineer yet but would be open to a discussion on how contouring of the land could best be achieved along the property line on both properties to eliminate both the overland water run-off and the drainage burden caused by the spring disturbance during site clearing. The Tulloch report contemplates grading and the removal of soil from the crest of the hill. If the engineer deems it suitable, this soil could be placed on our land to terrace and ease the overland water burden on the eastern side of 906 Main Street. The goal would be to work together with the Town to have a permanent solution to a historical problem.
4. **Transmission line route.** As the current route for the transmission line is being challenged, we request written confirmation that the transmission route will not be routed along the access road or along the properties of the Neighbouring Property Owners.

We hope that this is accepted as a good faith attempt to resolve the dispute concerning the siting of the panels at 918 Main Street so that we may avoid further escalation. We stand by our other neighbours right to fight expropriation of their lands for the transmission line which can hardly be justified when they have offered to sell the same amount of land just 300 m further back. We also believe that there are, at least, two other preferable sites for the location of this project within the Town limits which would have less environmental impact. However, we are willing to work toward a practical solution which will require compromise by all parties in this dispute.

Yours truly,


Heidi Walsh Sampson



Maureen Hughes

From: Moira Devereaux <moira@fluidmotionphysiotherapy.com>
Sent: Wednesday, June 1, 2022 12:07 PM
To: Maureen Hughes
Subject: Consideration for use of Old Firehall

[You don't often get email from moira@fluidmotionphysiotherapy.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from an external sender.

Dear Ms. Hughes,

Having noted the completion of the new firehall in Mahone Bay, I would like to ask the Town Council to consider my proposal for possible alternative use of the old firehall on Kinburn St.

I am in the process of finalizing a proposal to the Dept. of Health & Wellness to create a "Health Home" prototype on the South Shore. The vision is to provide a collaborative health centre that would offer local patients direct access to an interdisciplinary team of care providers including a family doctor, nurse practitioner, physiotherapist, occupational therapist, nutritionist, mental health worker - all under one roof.

Ideally, this clinic would be within walking distance in the local area and be able to adequately house the services mentioned above. The firehall might prove to be an excellent location to initiate the development and testing of this new model of care. Mahone Bay itself is an ideal location - as it is in the vicinity of three hospitals (Fisherman's, South Shore Regional, and Liverpool), all of which we intend to monitor for impact in terms of patient access and wait times. Moreover, it would provide the opportunity for Mahone Bay to demonstrate an innovative solution to addressing some of the current healthcare issues our province is facing.

I would appreciate your assistance in putting my request forward for feedback from the Council in terms of viability to support this concept and the use of the old fire hall for this purpose.

Please let me know if the Council requires more information from me in terms of the overall Health Home concept and the timing of any meeting to discuss and provide feedback in support of this project.

Many thanks in advance for your help,

Moira Devereaux, MScPT
Fluid Motion Physiotherapy
936 Hwy 325
Blockhouse, NS B0J 1E0

Maureen Hughes

Subject: FW: Peace and Good Order

From: Susan Seltzer <sueseltzer@mac.com>

Sent: June 2, 2022 8:54 AM

To: Francis Kangata <Francis.Kangata@townofmahonebay.ca>

Subject: Peace and Good Order

You don't often get email from sueseltzer@mac.com. [Learn why this is important](#)

CAUTION: This email originated from an external sender.

To the Town Council,

I have been very concerned as have other residents I have spoken with about the very noisy cars that rev up every spring when nice weather arrives. Over the years the noise has increased to the point that sitting on the porch has become an unpleasant event. Instead of enjoying the birdsong we are subjected to ear shattering beefed up engines/mufflers as these drivers race through the streets of Mahone Bay. This occurs every day and increases at sunset and into the night. I have on many occasions been awakened at 1AM or later just because I have my bedroom windows open.

I looked up the town's bylaws and found the Peace and Good Order bylaw which went into effect in August, 1986. Section V specifically refers to cars and in very plain language states that cars should not make noise that disturbs the peace. I think it's time to enforce this law that has been on the books for more than 35 years. It's certainly easy enough to identify cars which are violating reasonable decibel levels and ticket the drivers. I believe this problem would disappear in short order if stiff monetary penalties were applied.

I very much appreciate your attention to this issue and look forward to your response

[https://www.townofmahonebay.ca/uploads/1/3/0/6/130665195/bylaw -
peace and good order amendment.pdf](https://www.townofmahonebay.ca/uploads/1/3/0/6/130665195/bylaw-_peace_and_good_order_amendment.pdf)

Respectfully,

Susan Seltzer
15 Cherry Lane
902-527-3077

RESOLVED by the Town Council of the Town of Mahone Bay that the following By-Law is hereby enacted and adopted as a By-Law of the Town of Mahone Bay and that the Clerk forward it to the Minister of Municipal Affairs and request his approval.

BY-LAW NO. 18 AMENDMENT

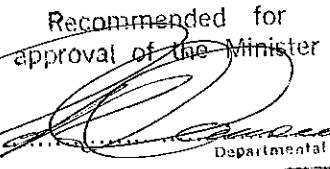
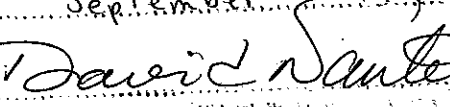
PEACE AND GOOD ORDER

Delete Paragraph (a) and substitute the following therefor:

- "(a) (i) uses profane, obscene, insulting, provocative or abusive language, or makes a taunting or threatening gesture;
- (ii) shouts or makes any unusual noise calculated to disturb the peace;
- (iii) plays loud music calculated to disturb the peace;
- (iv) unnecessarily sounds or causes the fire alarm to be sounded;
- (v) squeals tires, or makes any noise or disturbance by means of the operation of a motor vehicle calculated to disturb the peace; or
- (vi) creates other loud noise calculated to disturb the peace; or

THIS IS TO CERTIFY that the Amendment to the By-Law of which the foregoing is a true copy was duly passed at a duly called meeting of the Town Council of the Town of Mahone Bay held on the 12th day of August A.D. 1986.

Given under the hand of the Town Clerk and under the corporate seal of the said Town this 26th day of August A.D. 1986.

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
	
Departmental Solicitor	
APPROVED this 12th day of September 1986	
	
Town Clerk	


Town Clerk

RESOLVED by the Town Council of the Town of Mahone Bay that Chapter 18 of the By-Laws of the Town entitled "Prevention of Disorder or Impropriety" is hereby rescinded that the following By-Law is hereby enacted and that the Clerk be and is hereby instructed to forward it to the Minister of Municipal Affairs with a request for his approval.

PEACE AND GOOD ORDER BY-LAW

Any person who, in any public place within the Town of Mahone Bay:

- (a) uses profane, obscene, insulting, provokative or abusive language, or makes a taunting or threatening gesture, shouts or makes any unusual noise or disturbance, plays loud music, unnecessarily sounds or causes the fire alarm to be sounded, squeals tires, or makes any unnecessary noise or disturbance by means of the operation of a motor vehicle, or creates other loud noise calculated to disturb the peace; or
- (b) behaves in any obscene or indecent manner, or
- (c) obstructs any person from proceeding with his or her lawful business, or refuses to withdraw from a dwelling house or place of business after having been requested to do so by the owner or person having the control or management thereof to the annoyance of others or contrary to the wishes of the owner or person having control or management thereof; or,
- (d) openly challenges anyone to fight; or is in a drunken or intoxicated condition; or encourages dogs to fight; or,
- (e) loiters; or,
- (f) desecrates, disfigures, destroys, damages, or upsets any part of any grave, gravestone, tomb, or vault, or picks, removes, damages or destroys flowers or plants in any burial ground; or,
- (g) plays ball or other games, or throws stones or snowballs on any street; or
- (h) disturbs the good order of any public meeting held for any lawful purpose, or;
- (i) makes, publishes, posts up or exhibits any indecent or immoral placard, drawing, picture, writing or printing;

SHALL for each offence be liable to a penalty not exceeding \$1000.00, and in default of payment, to imprisonment for a period not exceeding 90 days.

This Is To Certify that the by-law of which the foregoing is a true copy was duly passed at a duly called meeting of the Town Council of the Town of Mahone Bay held on the 9th day of October A.D., 1984.

Given under the hand of the Town Clerk and under the corporate seal of the said Town this 11th day of October A.D., 1984.

.....
Town Clerk

Nova Scotia



**Department of
Municipal Affairs**

PO Box 216
Halifax, Nova Scotia
B3J 2M4

902 424-4141

November 15, 1984

Mr. Kyle R. Hiltz
Town Clerk
Town of Mahone Bay
P.O. Box 239
MAHONE BAY, Nova Scotia
B0J 2E0

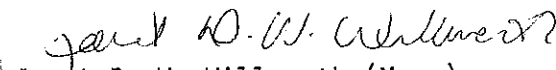
Dear Mr. Hiltz:

RE: Town of Mahone Bay - Peace and Good Order By-law

The above mentioned by-law which was adopted at a meeting of the Town Council, held on October 9, 1984, has been approved by the Minister of Municipal Affairs. I return you two copies bearing his approval dated November 9, 1984.

A number of the matters in the by-law may be of doubtful validity, and may now be covered by the Criminal Code of Canada. I know that these provisions have been in the Town's By-law for a number of years, and presumably have not caused any difficulty. However, the law is not as clear as it might be in the limits of the Town's authority, the Minister has approved the by-law.

Yours very truly,


Janet D. W. Willwerth (Mrs.)
Departmental Solicitor

JDWW/kbb
Enclosure (2)

Kelly Redden

From: NSFM Communications <communications@nsfm.ca>
Sent: Tuesday, May 24, 2022 5:12 PM
To: Town of Mahone Bay Clerk
Subject: NSFM's Monday Memo: Tuesday, May 24, 2022

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from an external sender.

[View this email in your browser](#)

Monday Memo



NOVA SCOTIA FEDERATION
OF MUNICIPALITIES

Special Meeting of the Members

A virtual Special Meeting of the Members will take place from **3-5 p.m. on June 9, 2022. Members will be asked to vote on proposed changes to NSFM by-laws.** Details, agenda, and Zoom link to follow.

For more information on the proposed changes, please see [NSFM's website](#).

A registration link will be made available shortly.

SERMGAR Member Survey

The Service Exchange Renegotiation and Municipal Government Act Review (SERMGAR) committee would like to hear from municipal councils.

The committee has developed a survey that has been distributed via email last week **to Mayors, Wardens, and CAOs**.

The survey is intended for municipal councils, not individual elected officials, to indicate the **official position of your council** on the survey questions.

Directions for responding are contained in the survey email. [If your council has not yet received this email, please contact NSFM.](#)

Please confer with your mayor/council and attempt to respond prior to June 13.

[Seniors Care Grant Applications Now Open](#)

Nova Scotians aged 65 and older can receive a Seniors Care Grant to help with the cost of services and chores they need around their homes. The grant provides up to \$500 for eligible seniors to help with expenses such as lawn care, small household repairs, delivery of groceries and medications, and other needs.

[Applications can be submitted online](#), by mail, or by fax. **The deadline for applications is May 31, 2022** and funds can be used through November 30, 2022.

Appointment for the Farm Practices Board

NSFM is seeking a nominee for the Farm Practices Board. Any interested member may submit an expression of interest to NSFM. The nominee will be required to complete an online application and upload a resume if they have one.

[Interested members can contact NSFM to begin the application process.](#)

[Learn more about the Farm Practices Act here.](#)

Develop NS Community Drop-In Event: Internet for Nova Scotia Initiative—Cape Breton

Drop-in to learn more about Internet for Nova Scotia Initiative projects on Cape Breton Island, progress to date and plans to bring reliable, high-speed access to as close to 100% of homes and businesses as possible.

DATE: Thursday, May 26, 2022

TIME: 5:00 pm-7:00 pm

LOCATION: Bras d'Or Yacht Club (First Floor)

1 Jones Street, Baddeck



“Getting on board with the Canoe Procurement trade program has been one of the highlights of our year so far. Tim could not be more helpful, from making introductions to following up to ensure we have exactly what we needed, we would not be benefiting enormously from this program if it wasn't for his insight and assistance. This program has such value in terms of cost savings, time management,

addressing sustainability and we look forward to taking advantage of several more of the offers available this fiscal year. If you need it, it is probably available through this program!"

-Town of Truro-

To learn more about Canoe Procurement contact Manager of Business Development, [Jesse Patenaude](#)

Upcoming Events

NSFM Free Webinar: The Mentoring Plus Strategy

Thursday, June 23rd – 10:30 a.m. – 12:00 p.m. via zoom

Utilizing the Knowledge of our Retired Population for Career Exploration and Economic Development

The Mentoring Plus Strategy draws upon the knowledge, experience, and skills of the retired and near retired (55+) population, to help support individuals (16+) with personal growth, career exploration and economic development through a variety of knowledge exchange initiatives.

The Mentoring Plus Strategy is currently being developed and implemented in three regions across Nova Scotia: New Glasgow/Pictou County, Truro/Colchester County and Kentville/Kings County. By aiming to address the demographic shift to an aging population and creating knowledge exchange activities that allow seniors to stay engaged and active in their communities, Mentoring Plus provides opportunities for many populations from high school

students to elected officials. It also contributes to the concept of an Age Friendly Community that adapts its structures and services to an accessible and inclusive community.

As a follow-up to the virtual 2021 spring conference session, we invite you to join us on June 23 for a webinar where you can learn more about The Mentoring Plus Strategy and how it can work in your community.

[REGISTER HERE](#)

Presenters:

Gordon Michael,

Executive Director, The Mentoring Plus Strategy

Faculty of Open Learning & Career Development, Dalhousie University

Geralyn MacDonald

Regional Coordinator/Assistant Director, The Mentoring Plus Strategy

New Glasgow/Pictou County



**NOVA SCOTIA FEDERATION
OF MUNICIPALITIES**



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Kelly Redden

From: NSFM Communications <communications@nsfm.ca>
Sent: Tuesday, May 31, 2022 8:46 AM
To: Town of Mahone Bay Clerk
Subject: NSFM's Monday Memo: Tuesday, May 31, 2022

Follow Up Flag: Follow up
Flag Status: Flagged

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Monday Memo



NOVA SCOTIA FEDERATION
OF MUNICIPALITIES

Special Meeting of the Members

A virtual Special Meeting of the Members will take place from 3-5 p.m. on June 9, 2022.

Due to a planned vote on proposed changes to NSFM by-laws, we are asking members to register in advance for the meeting via the link below.

[Members can register in advance for the meeting here.](#)

For more information on the proposed changes, please see [NSFM's website.](#)

SERMGAR Member Survey

The Service Exchange Renegotiation and Municipal Government Act Review (SERMGAR) committee would like to hear from municipal councils.

The committee has developed a survey that has been distributed via email last week **to Mayors, Wardens, and CAOs**.

The survey is intended for municipal councils, not individual elected officials, to indicate the **official position of your council** on the survey questions.

Directions for responding are contained in the survey email. [If your council has not yet received this email, please contact NSFM.](#)

Please confer with your mayor/council and attempt to respond prior to June 13.

Appointment for the Farm Practices Board

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[Interested members can contact NSFM to begin the application process.](#)

[Learn more about the Farm Practices Act here.](#)

Temporary Event Food Permits Update

With summer right around the corner and in an effort to help get temporary event food permit applications properly filled out and submitted on time to NS Public Health Officers, [the attached package was developed by Nova Scotia](#)

[Environment and Climate Change as a resource for event organizers and vendors.](#)

This year will be much busier than the last two, Nova Scotia Environment and Climate Change are hopeful spreading the word about getting applications in early will help events go more smoothly and be as successful as possible.

To discuss your temporary event food permit with a Public Health Officer, please contact:

Toll Free: 1-877-9ENVIRO (1-877-936-8476)

Email: ice@novascotia.ca

Mersey Tobeatic Research Institute Municipal Environmental Stewardship Survey

The Mersey Tobeatic Research Institute are conducting a Municipal Environmental Stewardship Survey on behalf of the Kespukwilt Conservation Collaborative (KCC). The KCC includes partners from government and non-government organizations and Indigenous communities. The KCC represents efforts to protect biodiversity in the federally nominated Kespukwilt/Southwest Nova Scotia Priority Place, designated under the Pan-Canadian Approach to Transforming Species at Risk Conservation.

This survey aims to draw the connection between species at risk and general environmental stewardship for municipalities. They would like to understand what environmental concerns matter to municipalities, and identify municipal information needs to inform the creation of a Municipal Species at Risk Stewardship Toolkit. They also hope to identify opportunities to link

municipalities with local environmental groups that can help with environmental initiatives and goals.

[Environmental Stewardship: the responsible use and protection of the natural environment through conservation and sustainable practices.](#)

Department of Natural Resources and Renewables Launch Awareness Campaign

Bears are attracted to populated areas because there's easy access to food. The campaign will encourage Nova Scotians to keep their green bins clean, secure garbage and other waste, and remove food and other attractants from their properties. We know these to be the most effective steps to preventing an unwanted bear encounter.

[This information package contains graphics for Instagram, Twitter and Facebook and some suggested posts municipalities can use on their social media channels to share information about bears.](#) The posts can be modified if you wish to include additional information, such as by-law details or waste collection schedules.

If bears or other wild animals pose a risk to people or pets, or an injured or diseased animal is found, please encourage your residents to [contact their nearest Department of Natural Resources office.](#)

Members can contact wildlife@novascotia.ca for more information.



“Getting on board with the Canoe Procurement trade program has been one of the highlights of our year so far. Tim could not be more helpful, from making introductions to following up to ensure we have exactly what we needed, we would not be benefiting enormously from this program if it wasn't for his insight and assistance. This program has such value in terms of cost savings, time management, addressing sustainability and we look forward to taking advantage of several more of the offers available this fiscal year. If you need it, it is probably available through this program!”

-Town of Truro-

To learn more about Canoe Procurement contact Manager of Business Development, [Jesse Patenaude](#)

Upcoming Events

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Utilizing the Knowledge of our Retired Population for Career Exploration and Economic Development

As a follow-up to the virtual 2021 spring conference session, members are invited to join on June 23 for a webinar where you can learn more about The Mentoring Plus Strategy and how it can work in your community.

[REGISTER HERE](#)



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Kelly Redden

From: Town of Mahone Bay Clerk
Subject: FW: For Mayor Devenne

-----Original Message-----

From: Patricia Livingston [REDACTED] >
Sent: Sunday, June 5, 2022 11:29 AM
To: Town of Mahone Bay Clerk <clerk@townofmahonebay.ca>
Subject: For Mayor Devenne

[You don't often get email from plivings@dal.ca. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from an external sender.

Dear Mayor David,

My husband and I moved to Mahone Bay from Halifax over a year ago. We couldn't be more impressed with the work you, the town councillors and the administrative staff are doing. The newsletters are much appreciated.

It is a pleasure to see the important initiatives you are leading, including the living shoreline, making Mahone Bay pedestrian and cyclist friendly, the solar garden, EV charging stations, and promoting diversity.

Just know that we are very happy to be living here and grateful to you and team for an excellent job.

Best wishes,

Patty Livingston
Main Street, Mahone Bay

Kelly Redden

From: NSFM Communications <communications@nsfm.ca>
Sent: Monday, June 6, 2022 3:38 PM
To: Town of Mahone Bay Clerk
Subject: NSFM's Monday Memo: June 06, 2022

Follow Up Flag: Follow up
Flag Status: Flagged

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Monday Memo



NOVA SCOTIA FEDERATION
OF MUNICIPALITIES

Special Meeting of the Members Postponed

The NSFM Board of Directors met recently and passed motions to delay both the June 9th Special Meeting of the Members and the Resolutions Process pending a fulsome legal review of revisions that resulted from feedback received at the NSFM Spring Conference. To make the best use of our time together, the Board wants to ensure that all proposed changes to the NSFM By-laws receive this fulsome legal review.

A new date for the Special Meeting of the Members and notice of proposed by-law changes will be sent out as soon as possible.

Thank you for your understanding and involvement in this important process.

SERMGAR Member Survey

The Service Exchange Renegotiation and Municipal Government Act Review (SERMGAR) committee would like to hear from municipal councils. The committee has developed a survey that has been distributed via email last week **to Mayors, Wardens, and CAOs**.

The survey is intended for municipal councils, not individual elected officials, to indicate the **official position of your council** on the survey questions.

Directions for responding are contained in the survey email. [If your council has not yet received this email, please contact NSFM.](#)

Please confer with your mayor/council and attempt to respond prior to June 13.

[Local Food Infrastructure Fund](#) [Applications close July 15](#)

The fourth intake of LFIF will take place from **June 1, 2022 to July 15, 2022** and will focus on projects that either create a portion of (or expand) a food system or implement an entire food system. Projects must be infrastructure specific and be community-driven, dedicated to improving access to healthy, nutritious and local foods for Canadians at risk of food insecurity.

Eligible applicants include municipalities with a population under 30,000. Learn more about the fund and apply at the link above.

Appointment for the Farm Practices Board

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required to complete an online application and upload a resume if they have one.

[Interested members can contact NSFM to begin the application process.](#)

[Learn more about the Farm Practices Act here.](#)



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-Town of Truro-

To learn more about Canoe Procurement contact Manager of Business Development, [Jesse Patenaude](#)

Upcoming Events

NSFM Free Webinar: The Mentoring Plus Strategy

Thursday, June 23rd – 10:30 a.m. – 12:00 p.m. via zoom

**Utilizing the Knowledge of our Retired Population for Career Exploration
and Economic Development**

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[REGISTER HERE](#)



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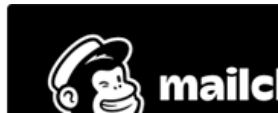
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June 2nd, 2022

M.A.D.E for Mahone Bay Limited
37 Central Street
Chester, NS
B0J 1J0

Dear Jane & Bob,

I am advising you that the request to rezone 66 Clairmont Street, Mahone Bay to be rezoned from Institutional to Residential has now exceeded the mandated period of 120 days as required by the Municipal Government Act, Section 210(6), and therefore is deemed refused. The Municipal Government Act states that any Land Use By-Law amendments that aren't completed within 120 of staff receiving a complete application, is then deemed refused. Please note the below excerpt from the MGA:

Section 210 Amendment of land-use by-law:

(6) Where the council has not, within one hundred and twenty days after receipt of a completed application to amend a land-use by-law referred to in subsection (1), commenced the procedure required for amending the land-use bylaw by publishing the required notice of public hearing, the application is deemed to have been refused.

Staff received a complete application (including application advertising fees) on October 6th, 2021. The file reached the 120 days without first notice of a Public Hearing on January 3rd, 2022, deeming the file refused. Below is a list of correspondence to date:

Correspondence Received:

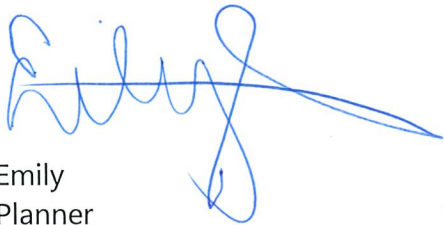
- Letter from staff on outstanding documents sent to you on October 19th, 2021
- Meeting with Staff on October 25th, 2021, to review the list of outstanding documents needed to move forward with the Development Agreement and Rezoning requests
- Staff forwarded all public comments submitted to Council via email on December 15th, 2021
- Staff emailed on January 20th, 2022, to inform you we are working on the rezoning file as it can move forward separate from the Development Agreement file and to expect a report prepared for an upcoming March PAC meeting
- Staff emailed on February 23rd, 2022, to again, inform you we have a report prepared for the April PAC meeting and the steps following. Staff also noted we are still awaiting documents needed to proceed with the Development Agreement file.

- Letter from staff on March 7th, 2022 outlining documents & correspondence thus far and noting staff had not received correspondence since December 15th, 2021 requesting an update on interest with moving forward with the file to the Planning Advisory Committee
- Staff emailed on April 6th, 2022 to inform you the file had went to the Planning Advisory Committee and the motion was made that *"the Mahone Bay Planning Advisory Committee recommend that Council amend the Land Use By-law to rezone the property at 66 Clairmont Street (PID 60374063) to Residential."*
- Staff emailed on April 22nd, 2022 to inform you the Public Hearing date was scheduled and then cancelled due to a scheduling conflict
- Staff emailed on May 24th, 2022 informing you about the current situation

The rezone is now officially deemed refused and the file will be closed. The property is to remain zoned Institutional. At this time, you have the right to appeal this directly to the Utility and Review Board (UARB). This would be the same process as if Council had voted against the rezoning. You will have 14-day appeal from date of notification (until June 20th, 2022). The UARB can be reached at (902) 424-4448.

If you have any questions or concerns regarding any of the information noted above, please contact me.

Best,

A handwritten signature in blue ink, appearing to read "Emily Statton", with a long horizontal line extending to the right.

Emily
Planner
estatton@chester.ca
1(902)-275-2599

Cc; Bob Youden, Maureen Hughes, Dylan Heide

June 2nd, 2022

M.A.D.E for Mahone Bay Limited
37 Central Street
Chester, NS
B0J 1J0

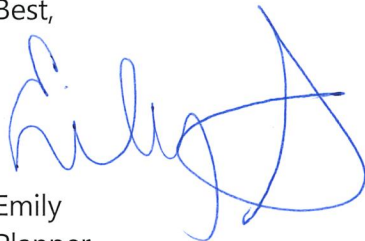
Dear Jane & Bob,

In a separate letter, I have advised you that the file for rezoning request for 66 Clairmont Street, Mahone Bay to be rezoned from Institutional to Residential has now exceeded the mandated period of 120 days as required by the Municipal Government Act, Section 210(6), and therefore is deemed refused. The rezone is required in order for the Development Agreement request to be considered. With the closure of the rezoning application, there is no path in the current planning documents to approve the Development Agreement request to construct the apartment building on the site. Given that there is no path to approval and no active application to rezone the property, the Development Agreement file has been closed.

The Development Agreement application is now officially closed. The property is to remain zoned Institutional. At this time, you have the right to appeal this directly to the Utility and Review Board (UARB). This would be the same process as if Council had voted against the Development Agreement. You will have 14-day appeal from date of notification (until June 20th, 2022). The UARB can be reached at (902) 424- 4448.

If you have any questions or concerns regarding any of the information noted above, please contact me.

Best,

A handwritten signature in blue ink, appearing to read "Emily Statton", with a large, stylized flourish at the end.

Emily
Planner
estatton@chester.ca
1(902)-275-2599

Cc; Bob Youden, Maureen Hughes, Dylan Heide

Maureen Hughes

From: David Devenne
Sent: Tuesday, June 7, 2022 9:47 AM
To: Town of Mahone Bay Council; Dylan Heide; Maureen Hughes
Subject: FW: NS Housing Needs Assessment

FYI...

From: MacIntyre, Jennifer <Jennifer.MacIntyre@novascotia.ca>
Sent: June 6, 2022 10:18 AM
To: MacIntyre, Jennifer <Jennifer.MacIntyre@novascotia.ca>
Cc: Awoyiga, Babatunde <Babatunde.Awoyiga@novascotia.ca>; Ryan MacLean <ryan@uplandstudio.ca>; Housing Needs Assessment <housingneedsassessment@novascotia.ca>; Juanita Spencer <jspencer@nsfm.ca>; jwentzell@amans.ca
Subject: NS Housing Needs Assessment

You don't often get email from jennifer.macintyre@novascotia.ca. [Learn why this is important](#)

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Hello,

I am writing to you today to invite you to participate in the Nova Scotia Housing Needs Assessment, one of the recommendations from the Affordable Housing Commission Report.

Nova Scotia is in the midst of a housing crisis. Government is committed to solutions, and we need data and information to help guide future housing policy, programs, and initiatives. A comprehensive needs assessment will identify gaps in current and projected housing requirements and ensure future investments are designed to close those gaps. The needs assessment will provide data and information on current and projected housing needs for each of the 49 municipalities in Nova Scotia and will be updated over time. It will indicate the number and type of housing needed in communities across the province to meet demand now and in the future.

The information gathered may be used by all levels of government, private sector, and community housing partners to make evidence-informed decisions about investments in housing. It is expected that the assessment will be complete by February 2023

Throughout the project there will be many opportunities for the public, communities, businesses, universities and colleges, municipalities, and other groups to provide input into the needs assessment. Using qualitative data, in addition to data-based information, is critical to understanding many local issues and needs. Engaging with a wide breadth of stakeholders will help address gaps in national data and better understand their perspective. Two of these opportunities for engagement directly relate to municipalities and are outlined below:

Municipal Engagement Sessions

Early this summer we will begin reaching out to coordinate 49 engagement sessions, one with each municipality in the province. The sessions will focus on understanding the key issues related to housing in each municipality. The sessions will take place in September and October and are expected to be 90 -120 minutes in length. We are inviting the CAO, key municipal staff members (at the CAO's discretion), as well as members of council to participate in the session.

We recognize that staff and council members have a strong understanding of the challenges faced by their constituents and can provide valuable insight on what they're hearing from the community. These sessions are intended to collect

on-the-ground insights and experiences, as well as allow for discussion of complex and nuanced matters. We will also be separately reaching out to municipalities over the coming months, directly or via NSFM, as part of our efforts to collect existing municipal data sets (e.g. building permit data) for use in the analytical parts of this project.

Public Survey

Early this summer we will be launching a public survey which will be our primary tool for engaging directly with the general public. We will promote the survey throughout its duration, from early summer to early fall, and with your support the survey will be able to reach far and wide. We will be in touch again once the survey is ready for distribution and will provide promotional content to share via your communications channels. The survey will be available both online and in paper-copy at local libraries.

The consultant team leading this work is made up of members from Turner Drake & Partners, UPLAND Planning & Design, COLAB, and Mountain Math.

For questions about the Housing Needs Assessment and methodology, please contact:

Project Manager - Tunde Awoyiga, Province of Nova Scotia, Director of Housing Programs.

Babatunde.Awoyiga@novascotia.ca

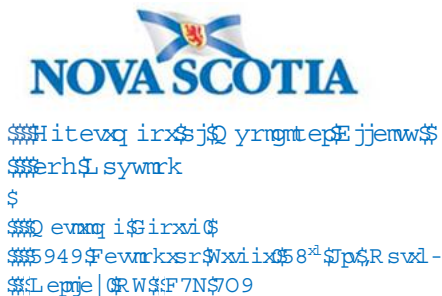
For questions relating to engagement for this project please contact Engagement Manager, Ryan MacLean.

Ryan@uplandstudio.ca.

Thanks for your time and support. We look forward to hearing from you.

Kind regards,

***Sent on behalf of
Babatunde Awoyiga***



Jenn MacIntyre

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We are in Mi'kma'ki, the traditional territory of the Mi'kmaq people.

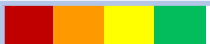



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Report to Council June 14, 2022

This Report to Council is intended to provide the Mahone Bay Town Council with a high-level summary of staff progress towards Council's direction to staff. As per the Town Council Policy, the report will be provided at each regular meeting of Council. The Report to Council is a living document and will improve and expand to incorporate new source documents as approved, and to respond to feedback received from Council.





Goal	Objective	Assigned	Target	% Completion
Council Assignments to Staff				
1	Staff amend the Respectful Workplace Policy and/or Employee Conduct Policy to reflect points raised in review of the draft Violence in the Workplace Policy specific to Town employees and recommend to Council.	8-Sep-20	June., 2022	<div><div></div><div></div><div></div><div></div><div></div></div> 50%
		Notes: To be discussed at Policy & Strategy Committee in 2022-23; report to Council anticipated thereafter.		





2	<p>Staff to draft a CAO Performance Review Policy that includes a detailed procedure, or procedure options, for how regular CAO Performance Reviews will be conducted, and to present such policy to Council for consideration after the new Council is sworn in following the October municipal elections.</p>	8-Sep-20	May., 2022	 	
3	<p>Staff to develop a multi-year bench installation program with potential locations being decided on in consultation with the Age Friendly Community Committee in alignment with the CBCL Transportation Plan Report and Accessibility Standards.</p>	8-Sep-20	Jun., 2022		75%
4	<p>Staff to initiate discussion with MODL Planning staff and prepare a report for Council about the possibility of intermunicipal collaboration between the Town of Mahone Bay and MODL on the topic of housing in the preparation of their respective planning documents.</p>	26-Nov-20	Jul., 2022		75%

Notes: Completed. The CAO Performance Review Policy was approved by Council on May 10, 2022.

Notes: In progress. Staff have consulted with accessibility coordinator. Report anticipated ahead of 2022-23 budget process, for implementation (solicitation of donations campaign) in 2022. Staff recently discussed with MBTCC executive who expressed support for the program.

Notes: In progress. Discussion initiated with MODL Planning staff. Timeline coordinated with Plan Mahone Bay process.

5	Direct staff to include accessible hearing solutions in the Accessibility Operational Plan, anticipated in 2021-22	25-Mar-21	Jun., 2022		75%	Notes: Will be incorporated into Accessibility Operation Plan. Lunenburg County Accessibility Coordinator has started work and is working to coordinate the development of Accessibility Operational Plans for Lunenburg County municipalities.
6	Staff to apply to the Canada Healthy Communities initiative and the Canada Cultural Spaces Fund to sponsor Phase 3 improvements to the Michael O'Connor Memorial Bandstand.	8-Jun-21	May., 2022		75%	Notes: Canada Healthy Communities Initiative application did not receive approval. Canada Cultural Spaces Program application will be submitted in May for implementation in 2022 (if approved).
7	Staff to initiate a Home Charger Pilot Program for electric vehicle owners under the Grow the Load Initiative.	29-Jul-21	Jun., 2022		75%	Notes: In Progress. Town staff coordinating with AREA staff on development of pilot program.
8	Staff to produce a report on the Town's Procurement Policy.	28-Jul-21	Jul., 2022	Not yet begun		Notes: To be coordinated with hiring of new Manager of Finance (Treasurer).
9	Staff to provide a report on the Townsuite programs which may be relevant to the Town's operations.	29-Jul-21	Jun., 2022		75%	Notes: In progress. Waiting on additional information from Procom (Townsuite provider), recommendations from Deloitte, and hiring of new Manager of Finance (Treasurer).

10	That minimum standards for housing be reflected in any housing strategy that the Town may develop.	14-Sep-21	Jul., 2022		50%
11	Staff to report back to Council on the cost and anticipated revenue of a water connection to the Cleveland property.	27-Sep-21	Jun., 2022		75%
12	Staff to provide a report on the costs and anticipated revenue of extending water and sewer services to the end of Fairmont Street.	27-Sep-21	Jun., 2022		50%
13	Direct staff to prepare a report for Council on future capital investment in the Town Hall ahead of the 2022-23 budget process.	28-Oct-21	Jun., 2022		75%






Notes: Initial staff report on housing strategy development included on Dec 14th Council agenda. Letters regarding regional housing strategy development sent to all Lunenburg County units (Jan 25, Mar 22). Initial regional housing strategy staff meeting took place May 4 - following on Council's Mar 22nd Letter - and a subsequent meeting is scheduled for June.




Notes: In Progress.

Notes: In Progress.

Notes: In progress; staff waiting on remaining quotations. Report anticipated ahead of 2022-23 budget process.

14	Approve the reimbursement to Mr. Todd Nickerson in the amount of \$51,282.19 and direct staff to undertake the necessary steps to conduct a joint tax sale with the Municipality of the District of Lunenburg.	28-Oct-21	Jul., 2022	<div><div></div><div></div><div></div><div></div></div>	75%	Notes: In progress. Reimbursement issued. Staff working with MODL; discussion of tax sale procedures awaiting hiring of new Manager of Finance.	
15	Direct staff to issue an RFP for legal services.	28-Oct-21	Aug., 2022	Not yet begun			Notes:
16	Staff to convene a Special Council meeting in the new year to discuss the RCMP service that the Town contracts through the Province.	9-Nov-21	Jun., 2022	Not yet begun			Notes: Date TBD.
17	Staff to provide a report highlighting the recommendations of the water system audit for which additional budget allocations would be required for implementation, ahead of the 2022-23 annual budget process.	25-Nov-21	Jun., 2022	<div><div></div><div></div><div></div><div></div></div>	75%	Notes: New Water/Wastewater System Manager started Feb 1st; staff have now caught up with water system audit contractor. Report anticipated in June, 2022 (ahead of the 2022-23 budget process).	

18	Staff to discharge the Development Agreement MBDA008 at the request of the property owner Mahone Bay Developments Limited and that Council direct staff that no fee will be charged for the discharge of the MBDA008.	11-Jan-22	Jun., 2022		★
	Notes: Completed.				
19	Complete the Municipal Heritage Property Registration process for Town Hall at 493 Main Street.	11-Jan-22	Jun., 2022		75%
	Notes: Heritage Property Hearing took place February 24, 2022, registration underway.				
20	Staff to communicate with the owner of the business at the Old Station, at the corner of Main Street and Orchard Street, regarding the installation of parking signage and that thereafter the signage shall be enforced by the Town.	27-Jan-22	Jun., 2022		75%
	Notes: In progress. Staff in communication with owner, signage to be erected in June.				
21	Approve the Public Engagement Plan for the Municipal Boundary Review as presented.	27-Jan-22	Jun, 2022		75%
	Notes: Education pieces included in February and March editions of newsletter; special website page developed.				
22	Staff to develop draft protocols for the new community hall as an emergency shelter.	27-Jan-22	Jul., 2022		25%
	Notes: AEC now doing preliminary work in this regard with REMO.				

23	Staff to complete negotiation and establish terms and conditions whereby the Mahone Bay Soccer Club/Mahone Bay Centre will have a contractual responsibility to provide scheduling, management, and ongoing maintenance of the field and that same be provided to Council for approval.	27-Jan-22	Jun., 2022		50%	Notes: Staff have reached out to Mahone Bay Soccer Club/Mahone Bay Centre Society to begin negotiations on the draft management agreement, two initial meetings have taken place in May and staff are now in the process of drafting a proposed agreement on this basis, for further discussion.
24	Approve service corridor route A for the Community Solar Garden and that staff be directed to write to impacted property owners providing the rationale for this decision and the steps to be followed by the Town for acquisition of the necessary lands.	27-Jan-22	Jun., 2022		75%	Notes: In progress. Correspondence has been exchanged; awaiting completion of survey and updated valuation for property parcels.
25	Direct staff to provide a recommendation concerning the creation of a by-law prohibiting the sale of hate symbols in the Town of Mahone Bay, if that is a legal possibility.	24-Feb-22	Jul., 2022		50%	Notes: Staff report anticipated for the July 12, 2022 Council agenda.







26	Direct staff to prepare a report on the potential for an outdoor refrigerated ice surface and costs associated to be forwarded to the 2022/23 budget process.	24-Feb-22	Jun., 2022	<div><div></div></div>				25%
		Notes: In progress.						
27	Defer the heritage grant request from the owners of 77 Edgewater Street to the 2022/23 budget.	24-Feb-22	Jul., 2022	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>		75%
		Notes: Forwarded to the finance department for 2022/23 budget consideration.						
28	Approve the expenditure of \$1,322.50 for the recording of a talk by the Town's Heritage Researcher, Deborah Trask. This amount to come from the committee's budget for the 2021/22 fiscal year.	24-Feb-22	Jun., 2022	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	75%
		Notes: In progress. Recording took place in April. Final editing underway now.						
29	Direct staff to schedule the follow-up session with Deloitte as offered in the Management Letter to the 2020-21 Audit.	24-Feb-22	Jul., 2022	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	50%
		Notes: Staff have been in contact with Deloitte in this regard and will follow up with committee members concerning potential meeting dates (in coordination with new Manager of Finance).						
30	Staff to produce a report on the Town's snow and ice control operations including recommendations to revise the Snow and Ice Control Policy, following the conclusion of seasonal operations.	8-Mar-22	Sep., 2022	Not yet begun				
		Notes:						

31	Staff to proceed with the transportation project in the 2021-22 budget with the inclusion of the three-way stop at Pleasant Street and Main Street.	8-Mar-22	Sep., 2022	<div><div></div><div></div><div></div></div>	75%
		Notes: In progress. Improvement of crossings at Kedy's, Anglican Church, Medical Clinic and Long Hill Trail completed. Lutheran Church crossing will be completed shortly, when light standard can be replaced.			
32	Refer the discussion of a Request for Proposals for engineering services in relation to the intersection of Main Street and Edgewater Street to the 2022/23 Budget Process.	8-Mar-22	Jul., 2022	<div><div></div><div></div></div>	50%
		Notes: In progress.			
33	Staff to initiate discussions with the Nova Scotia Liquour Commission concerning potential cyclist and pedestrian safety improvements to their property on Main Street.	8-Mar-22	Jun., 2022	<div><div></div><div></div><div></div></div>	50%
		Notes: In progress.			
34	Approve AREA staff to resume discussion with staff at the Department of Municipal Affairs to confirm the recovery of muncipal assets and AREA staff time.	8-Mar-22	Jun., 2022	<div><div></div><div></div><div></div></div>	75%
		Notes: In progress.			

35	Approve AREA staff to proceed with negotiations with GP Joule on the basis of the solar garden layout presented at the November 4, 2021 Solar Garden Open House and in the January 27, 2022 Solar Garden Update Staff Report.	8-Mar-22	Jun., 2022	<div><div></div><div></div><div></div><div></div><div></div></div>	75%
		Notes: In progress.			
36	Correspondence from Hon. Kim Masland [RE: Request to lower speed limit] be forwarded to the Provincial Traffic Authority and that the Town request a town-wide reduction of the speed limit to 40km/hr.	24-Mar-22	May., 2022	<div><div></div><div></div><div></div><div></div><div></div></div>	75%
		Notes: Letter being drafted now, to include reference to Town's recent transportation infrastructure improvements intended to improve pedestrian and cyclist safety.			
37	Staff to advise MODL of the Town of Mahone Bay's intent to make Town residents aware of the availability of the ProKIDS program and that this direction replaces prior direction regarding the ProKIDS program.	24-Mar-22	May., 2022	<div><div></div><div></div><div></div><div></div><div></div></div>	75%
		Notes: In progress.			
38	Staff to prepare a report on an Electric Vehicle car sharing program to be presented to the Climate and Environment Committee.	24-Mar-22	Sep., 2022	<div><div></div><div></div><div></div><div></div><div></div></div>	25%
		Notes: Anticipated at the September 7, 2022 meeting of the Climate and Environment Committee.			

39	Staff to proceed with the electrical utility rate study as proposed by AREA with BDR, in collaboration with MEU partners, at a cost of \$16,000, to be reflected in the draft 2022-23 annual budget.	12-Apr-22	Jul., 2022	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>	25%	Notes: Underway now. Staff have contacted NSUARB to advise of upcoming rate application.
40	Staff to proceed with Option 3, running the upgraded powerline under the Sports Field.	12-Apr-22	Jun., 2022	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>	50%	Notes: Final design underway, coordinating construction with field improvements.
41	Staff to present Council with an amended flag policy [as stipulated].	12-Apr-22	Jun., 2022	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>	75%	Notes: Anticipated for June 30, 2022 Council agenda.
42	Staff to prepare a draft Engagement Plan for the development of a new community logo for the Town, to replace the current logo, and which would empower the public to empower the public to decide on a logo for Council approval.	28-Apr-22	June., 2022	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>	25%	Notes: Anticipated for June 30, 2022 Council agenda.
43	Council revisit the vaccination policy by the end of the 2022/23 fiscal year.	28-Apr-22	Mar., 2023	Not yet begun		Notes:

44	Council [...] approve a budget allocation of \$80,000 from electrical utility capital funds in the Town's 2022-23 budet for the puchase of a voltage regulator, and direct staff to proceed to tender for the purchase of a voltage regulator.	28-Apr-22	Jun., 2022	<div><div></div></div>				25%	Notes: Tender document under development now.
45	Direct staff to draft a letter to the property owners of identified potential heritage properties informing them of the Municipal Heritage Property Program and bring that draft letter back to the next Heritage Advisory Committee Meeting.	28-Apr-22	Jun., 2022	<div><div></div></div>	<div><div></div></div>			50%	Notes: Anticipated for a June 2022 HAC agenda.
46	Staff to investigate the potential for a volunteer recognition event.	10-May-22	Jun., 2022	<div><div></div></div>				25%	Notes: In progress.
47	Staff to provide a report on the next steps to develop a housing plan for Mahone Bay.	10-May-22	Jun., 2022	Not yet begun					Notes:
48	One of the items for the June 27, 2022 meeting of the Policy and Strategy Committee be the issue of vandalism and graffiti in Mahone Bay and that the RCMP be invited to join that meeting.	10-May-22	Jun., 2022	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>		75%	Notes: Added to draft [working] agenda and invitation has been extended to RCMP.

49	Staff arrange a meeting with Coastal Action Foundation, Council, and Town staff to receive more detailed information concerning the request for financial support.	26-May-22	Jun., 2022		★	Notes: scheduled for a June 17, 2022 special council meeting.
50	Council approve the draft letter to Heidi Walsh-Sampson, cc'd to other parties included on Ms. Walsh-Sampson's letter dated May 10, 2022.	26-May-22	Jun., 2022		★	
51	Council designates August 12, 2022 as Staff Appreciation Day and that staff be given that day off in appreciation of their efforts in advancing the Town's strategic objectives.	26-May-22	Jun., 2022		25%	Notes:
52	Council direct staff to reflect accessibility best practices-including proposed chip-seal track/trail surface at the Sports Field as part of the current ongoing project.	26-May-22	Jun., 2022		25%	
53	Council approve the [solar garden] grading plan as recommended by AREA.	31-May-22	Jun., 2022		★	Notes: Forwarded to project manager for action.
54	Council approve the [distribution line service] road design as recommended by AREA.	31-May-22	Jun., 2022		★	Notes: Forwarded to project manager for action.



MEMORANDUM

TO: Town Council
FROM: Maureen Hughes, Town Clerk & Deputy CAO
DATE: June 14, 2022
RE: Signing Authority

Now that the role of Manager of Financing has been filled, staff are looking to update the signing authority for the Town now that the position has been filled.

It is therefore recommended that at the June 14, 2022 meeting of Council the following motion be approved:

THAT Mayor David Devenne, or Deputy Mayor Francis Kangata, or Councillor Penny Carver, along with CAO Dylan Heide, or Deputy CAO Maureen Hughes, or Manager of Finance Ashley Yeadon-Wentzell be the signing authorities for the Town of Mahone Bay in respect to financial matters for the Town of Mahone Bay.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Maureen Hughes", is written over a faint, light blue diamond-shaped watermark.

Maureen Hughes

Town Clerk & Deputy CAO





MEMORANDUM

TO: Town Council
FROM: Maureen Hughes, Town Clerk & Deputy CAO
DATE: June 14, 2022
RE: Appointment of Treasurer

As Ashley Yeadon-Wentzell has been hired as the Town of Mahone Bay's new Manager of Accounting, Ms. Yeadon-Wentzell will take on the role of Treasurer for the Town of Mahone Bay, as per MGAs37, for which staff are looking for a motion of Council to endorse.

It is therefore recommended that at the June 14, 2022 meeting of Council the following motion be approved:

THAT Council appoint Ashley Yeadon-Wentzell as Treasurer of the Town of Mahone Bay effective May 30, 2022 and until such time as this appointment is revoked.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Maureen Hughes", is written over a light blue, semi-transparent diamond-shaped graphic.

Maureen Hughes

Town Clerk & Deputy CAO





March 28, 2022

The Honourable Becky Druhan
MLA Lunenburg West
100 High Street, Box 286
Bridgewater, NS B4V 1V9

beckydruhan.mla@eastlink.ca

The Honourable Susan Corkum-Greek
MLA Lunenburg
P.O. Box 220
Lunenburg, NS B0J 2C0

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Danielle Barkhouse
MLA Chester-St. Margaret's
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barkhousemla@gmail.com

Dear Members of the Legislature:

**RE: REQUEST FOR SUPPORT REGARDING ENABLING LEGISLATION / LUNENBURG COUNTY EVENTS
PROMOTION LEVY**

We are writing today regarding a matter of longstanding interest and importance for municipalities in Lunenburg County: the creation of enabling provincial legislation in support of a local events/hotel room night levy, termed the Lunenburg County Events Promotion Levy.

Dating back to 2017, the Municipality of the District of Lunenburg, Town of Bridgewater, Municipality of the District of Chester, and the Town of Mahone Bay have been working to lay the groundwork for such enabling legislation (while the Town of Lunenburg declined to participate in 2018, we remain hopeful they may choose to do so in the future). Our councils and staff worked cooperatively to develop a pitch document (enclosed for reference) and carried out required engagement with accommodations industry representatives with facilities that offer 20 or more rooms in 2018. The proposal was positively received by accommodations industry representatives. After a receptive meeting with local MLAs from the previous government, we were subsequently informed that they would *not* be bringing our requested

legislation forward for consideration. Instead, we were assured that the Department of Municipal Affairs was set to pursue enabling legislation around events/room night levies that would apply provincewide. We were asked to be patient and, for more than two years, we were patient. The enabling legislation that we were promised, however, never materialized. During the same period, we learned that exactly the type of legislation we were asking for was passed for the Digby area – a frustrating development to say the least.

It is with all this in mind that we reach out to you today and ask you take up our request for enabling legislation to permit municipalities in Lunenburg County to cooperatively enact a Lunenburg County Events Promotion Levy. To that end, we have also enclosed draft legislation that you may wish to consider based on similar existing enabling legislation. We have forecast that approximately \$125,000 could be collected annually through such a levy from travellers staying in Lunenburg County accommodations. The revenue generated by such a levy would be reinvested directly in the promotion and development of events in our region, with input from the accommodations industry, and ultimately further spur our economy in Lunenburg County as we position ourselves for the post-pandemic era.

With thanks and on behalf of our elected councils,

Mayor Carolyn Bolivar-Getson
Municipality of the District of Lunenburg

Mayor David Devenne
Town of Mahone Bay

Mayor David Mitchell
Town of Bridgewater

Warden Allen Webber
Municipality of the District of Chester

c: The Honourable John Lohr, MLA Kings North

A meeting of the Cemetery Committee for the Town of Mahone Bay was held on Friday, May 20, 2022 at 11:00 a.m. in Council Chambers.

Present:

Councillor Joseph Feeney

Mayor David Devenne

B. Morse

S. Maples

Jonathan Uhlman, Manager of Public Works & Transportation

Kelly Redden, Deputy Clerk

Absent:

Deputy Mayor Francis Kangata

1. Approval of Agenda

A motion by Ms. Maples, seconded by Mayor Devenne, "THAT the agenda be approved as presented." Motion carried.

2. Minutes

A motion by Mr. Morse, seconded by Ms. Maples, "THAT the minutes of the March 4, 2022 meeting be approved as presented." Motion carried.

3. Operations Report

Jonathan Uhlman, Manager of Public Works & Transportation, provided the Operations Report to the committee.

The committee discussed toppled stones at Park Cemetery. Mr. Morse will get a quote to repair the stones. Staff will provide Mr. Morse with an exact count of damaged stones. This item will come back to the next meeting of the committee.

4. Finance Report

No financial report was provided at this meeting.

5. Old Business

a. Park Cemetery Mapping Project

Staff provided the committee with an update on the mapping project.

b. Update – Upgrades to Bayview Cemetery

i. Fence progress

Mr. Uhlman updated the committee on the progress of the fence repair/replacement at Bayview Cemetery. Work is still scheduled to start in early June.

ii. Sign for Bayview Cemetery

Staff provided options for the entrance sign at Bayview Cemetery. The committee suggested using the dancing tulip emblem on both sides of the cemetery name.

iii. Gate Post Options

Staff provided options for the gate post replacement at Bayview Cemetery.

A motion by Mayor Devenne, seconded by Ms. Maples, "THAT the committee recommend that Council approve the cost of \$3,400 to install wood gate posts at Bayview Cemetery as part of the cemetery upgrade project." Motion carried.

iv. Donation Recognition

The committee recommended that the Town start a program of planting small trees and shrubs at Bayview Cemetery to commemorate donations over \$1,000. Staff will bring a suggested process for this program to a future meeting of the committee.

6. New Business

a. Cemetery Bylaw Amendments

Staff provided the committee with draft amendments to the Town's Cemetery Bylaw.

A motion by Ms. Maples, seconded by Mr. Morse, "That the committee recommend that council give first reading to the amended Cemetery Bylaw." Motion carried.

b. Sign for Pauper's Grave at Park Cemetery (Potter's Field)

Staff will get a quote for having a sign made reading "Potter's Field Please be Respectful".

Discussion at next meeting:

Quote – Sign for pauper's grave
Fee review

The meeting adjourned by motion at 12:20pm.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Chair, Councillor Joseph Feeney

Deputy Clerk, Kelly Redden



MEMORANDUM

TO: Mahone Bay Town Council
FROM: Kelly Redden
DATE: June 16, 2022
RE: Cemetery Bylaw Amendments

In late 2020, the Town submitted a new SOT (Summary Offence Ticket) schedule to DMAH. DMAH's legal counsel responded to the request flagging the wording of specific items that were intended to be offences. The wording as it was would not allow the Town to issue SOT's to a specific person for those offences.

The by-law was reviewed by the Town's By-law Enforcement Officer who made the necessary changes to make offences enforceable. The CAO made a few changes to align the by-law with current legislation. The Cemetery Committee suggested two edits that would allow for Town Staff and individuals with permission from the Town to operate off-highway vehicles and equipment in the cemetery and allow Town Staff and individuals to operate off-highway vehicles and equipment outside of roadways within the cemetery.

There are no substantive changes to the by-law, the changes are housekeeping amendments. The intent of the offences within the by-law remain unchanged.





Cemetery By-law

1. Short Title

This By-law shall be known as and may be cited as the "Cemetery By-law".

2. Name

The names of the Cemeteries of the Town of Mahone Bay shall be "Bayview Cemetery" and "Park Cemetery".

3. Definitions

In this By-law:

- a. "CAO" means the Chief Administrative Officer of the Town of Mahone Bay and includes any person designated by the CAO to carry out any responsibilities contained within the by-law;
- b. "Cemetery" means the Bayview Cemetery and Park Cemetery located in the Town of Mahone Bay;
- c. "Council" means the Town Council of the Town of Mahone Bay;
- d. "Committee" means the Councillors and citizens of Mahone Bay appointed by the Town of Mahone Bay Town Council who are charged with the responsibility of administering the within by-law except where otherwise noted;
- e. ~~"Director of Operations" means the person appointed by the CAO to be the facilities manager of the Town;~~
- f. "Flower" includes real and artificial flowers;
- g. "Grave" means a place for the permanent placement of human remains;
- h. ~~"Mayor" means the Mayor of the Town of Mahone Bay;~~
- i. ~~"Memorial" means a memorial~~ means a single (excluding footstone), permanent, marker, monument, headstone, ~~footstone~~, tombstone, plaque, tablet or plate marking a grave and includes an inscription of letter or ornamentation. or both;
- j. "Plants" include real or artificial trees, shrubs, flowering or other forms of vegetation;
- k. "Purchaser" includes the heirs, administrators, successors and assigns of the purchaser and the agent of them;
- l. "Town" means the Town of Mahone Bay;
- m. "Traditional Burial" refers to a full casket burial;
- n. "Off highway vehicle" refers to a vehicle or class of vehicle designated as an off-highway vehicle as defined in the Off-Highway Vehicles Act.

4. Sale and Use of Lots

- a. Lots for burial purpose may be sold at such prices and on such terms as Council may determine from time to time by Resolution and according to the plans of the Cemetery on file **with the Town**.
- b. No lot shall be sold, transferred, assigned, or reserved by the Town of Mahone Bay until the purchase price of same has been paid in full.
- c. Person ordering lots will be responsible for payment thereof.
- d. Any person who has purchased any lot or made use of same and not paid for it, shall be liable for the price of same, to be recovered from them by action in the name of the Town of Mahone Bay.
- e. Purchasers of Cemetery lots have the right and privilege of burial of the human dead and erecting memorials subject to the provisions within this by-law.
- f. The conveyance of lots to the purchaser shall be made evident by the delivery to such purchaser of a deed executed by the Town CAO.
- g. There are no lots available in Bayview Cemetery.

5. Transfer

No owner of any lot shall have the right to sell, transfer or assign any lot or part of any lot to any other person, without the consent of the ~~Mayer and~~ CAO.

6. No Remuneration

Lot owners shall not allow interments to be made in their lots for remuneration.

7. Work by Town

- a. The Town may have all the maintenance and repair work done on any lot or grave in the Cemetery by any Town employee or by an individual or firm contracted by the Town to carry out work in the Cemetery.
- b. The Town may levy a charge for any work done on any lot or grave in the Cemetery, which has not been previously paid for.
- c. The Town shall maintain the roads in the Cemetery but does not guarantee access to the Cemetery as a result of weather conditions.

8. Memorials and Foundations

- a. There shall not be more than one memorial on any one lot (1,500 mm x 3,000 mm or 5'x10'); except two footstones or headstones if on one base.
- b. A memorial, structure, object or any inscription placed upon any lot which in the opinion of the Committee is offensive or improper shall be removed ~~and the Committee shall have power to authorize any person to enter upon such a lot and remove same.~~
- c. All memorials to be erected shall be placed in the position selected on the lot by the CAO **or designate** and a monument permit shall be required for all memorials.

- d. The Town reserves the right to change the position of any monument erected on any lot prior to the passing of the by-law or to do any work as, in the opinion of the Committee, may be necessary for the purpose of uniformity and to conform with the general plans, rules, regulations and by-laws as adopted by Town Council.
- e. All foot stones and flat markers shall be even with the ground.
- f. The bases of all memorials shall be smooth at the surface.
- g. All memorials shall be made of cut stone, granite or marble or such other materials as approved by the Committee. Council on recommendation of the Committee.
- h. Forty-eight hours prior notice shall be provided to the Town of Mahone Bay before any memorial work is brought into the Cemetery.
- i. The Town accepts no responsibility for damage to or for the maintenance, repair or replacement of any memorial.

9. Interment and Disinterment

- a. The Town does not provide interment services and each lot owner is responsible to make their own arrangements whenever an interment is required. The Town does not provide interment services and each lot owner is responsible to make their own arrangements whenever an interment is required.
- b. ~~No interment shall be made without permission from the Town.~~ No person shall engage, direct or cause the performance of any interment or disinterment in a cemetery without approval of the Town of Mahone Bay.
- c. ~~Notice of each interment and disinterment shall be given to the CAO at least forty-eight hours prior to such proposed interment, except under special circumstances as determined by the Committee. Such notice shall be given during regular working hours and interment permit shall be required for each interment.~~ Notice of each interment or disinterment shall be provided to the Town of Mahone Bay at least 48 hours prior to such activity.
- d. ~~In each case of interment, a written statement giving the deceased's name, last residence, age, date of death, name of parent, if not an adult, in which lot and location the body is to be interred and the name of the funeral director and officiating minister (if applicable) must be furnished to the Town in order that an accurate register thereof may be made.~~ Notice of interment shall be in a format acceptable to the Town of Mahone Bay and shall include the following:
 - Deceased name
 - Last residence
 - Age
 - Date of birth
 - Parents name (if not an adult)
 - Location for interment
 - Funeral director

- ~~Officiating minister~~
- Lot in which the deceased will be interred

e. ~~Fees may be charged by the Town for each interment.~~ Fees for interment charged by the Town and will be determined at time of notification.

10. Graves

a. The standard sizes for graves are:

- (i) Single grave – 1,500 mm x 3,000 mm (5' x 10');
- (ii) Double grave – 3,000 mm x 3,000 mm (10' x 10'); and

b. One traditional burial shall be made in any single grave with the following exceptions:

- (i) Four cremated human remains may be buried in a single grave;
- (ii) Up to three cremated remains may be placed above the remains of a Traditional Burial in any single lot.

11. Cemetery Maintenance

The ~~Director of Operations~~ CAO or designate shall be responsible for the overall maintenance and appearance of the Cemetery.

12. Trees, Flowers, etc.

a. ~~Trees, shrubs or other plants are not permitted to be cultivated on graves or lots.~~ No person shall plant trees, shrubs or other plants on graves or lots.

b. The Town reserves the right to exercise entire control over every tree, shrub, vine, flower, or other form of vegetation, real or artificial within the Cemetery, whether planted or placed there by any lot owner or otherwise and may remove, cut, trim or otherwise deal with same as it may determine from time to time. The Town is not responsible for the deterioration, damage or loss of any vegetation or any other articles.

c. ~~No flower boxes or other similar floral or plant containers shall be placed in the Cemetery without the Director of Operations' prior permission.~~ No flower boxes or other types of plant containers shall be placed without permission from the CAO or designate.

d. ~~No person shall, except as provided in in section 2 and 5 hereto, take trees, shrubs, vines, flowers, or other forms of vegetation, real or artificial from lots or graves in the Cemetery without prior authorization from the Director of Operations, or take any flowers either wild or cultivated, or break any tree, shrub or plant, or any real or artificial material, or write upon any grave, deface or injure any memorial or other structure in or belonging to the Cemetery.~~ No person shall remove shrubs, vines, flowers or other forms of vegetation from any lot or grave in a cemetery without approval from the CAO or designate.

e. No person shall damage any vegetation, real or artificial, from any cemetery belonging to the Town.

f. No person shall write upon any grave, deface any memorial or structure in a cemetery belonging to the Town.

g. ~~A maximum of two real or artificial flower arrangements may be placed on a memorial, but none shall be permitted on the surrounding ground.~~ A maximum of two (2) flower arrangements, real or artificial shall be placed on a memorial.

13. No Fixtures or Landscaping

a. The erection or placing of cut-stones, copings, borders, fences or wheelings, walls, hedges, chairs, trellis, iron rods or any other fixtures on or around lots is prohibited unless approved by the CAO or designate.

b. No person shall make any walk cut any sod or move any corner posts or grave markers in the Cemetery.

14. Garbage

~~The throwing of any garbage on the road or upon any portion of the Cemetery grounds is prohibited.~~ No person shall throw any garbage on the road or upon any portion of the Cemetery grounds.

15. Smoking

~~Smoking of any substance is prohibited in the Cemetery.~~ No person shall smoke any substance of any kind on Cemetery grounds.

16. Vehicles

a. ~~Motor vehicles will not be permitted to enter the Cemetery when, in the Director of Operations' opinion, the roads are unfit to drive on.~~ No person shall operate a vehicle when posted by the town that the roads are unfit.

b. ~~No motor vehicle shall travel on the roadways located in the Cemetery at a rate faster than 15 kilometres per hour.~~ No person shall operate a motor vehicle on the roadways located within a cemetery in excess of the posted speed limited.

c. ~~No off-highway vehicles are permitted in the Cemetery.~~ No off-highway vehicles are permitted in a cemetery unless in the employ of or with permission of the Town.

d. No person shall operate a vehicle other than on a travel roadway unless in the employ of or with permission of the Town.

17. No Gratuities

No gratuities shall at any time be given to any Town employee while working at the Cemetery, nor shall they be given any reward for any personal services or attention. Any Town employee who accepts any such gratuity or reward shall render themselves

~~liable to be dismissed from their position~~ be subject to disciplinary action in accordance with the policies of the Town.

18. Dogs

~~No dogs shall be allowed in the Cemetery without the animal being on a leash and under the apparent restraint or control of some person.~~

No dog shall be permitted in cemetery without the animal being on a leash and under the restraint or control of the dog's handler.

19. Peace and Good Order

Any person disturbing the quiet and good order of the Cemetery by noise or other improper conduct or who violates any of the foregoing provisions, may be removed from the Cemetery by order of the CAO or designate.

20. Repair and Maintenance

a. All lot owners are required to keep in proper care, at their own cost, and to the satisfaction of the Committee Town, all memorials. ~~or other erections plots upon such lots and must remove all garbage occasioned by the putting up or repairing of such memorials or other erections to such places of deposit as provided by the Town for that purpose.~~

b. From the 1st to the 14th of October and the 1st to the 14th of April, each year, cemetery clean up will take place by the Town's Public Works Department. All items placed on plots other than memorials and items attached to the memorials will be removed during clean up.

b. The ~~Director of Operations~~ CAO or designate shall from time-to-time report to the Committee any memorials and other erections which are in need of repair and the lot owner, if known, shall be notified that the same must be put in proper repair to the Committee's satisfaction. If any owner after 3 months of the issuance of such notice, refuses or neglects to put such memorial or erection in proper repair, ~~the CAO may, if authorized by the Committee, repair, remove or otherwise deal with same at the lot owner's expense.~~ the CAO may repair, remove or otherwise deal with same at the lot owner's expense.

21. Notices

All notices required to be given to lot owners may be given personally to the owners or mailed by ordinary mail to such owners, or their legal representatives, at their last known mailing address.

22. Penalty

a. Anyone who violates or fails to comply with any provision of this by-law shall be guilty of an offence and, upon summary conviction, shall be liable to a fine of not less than \$250.00 and not more than \$1,000.00 and, in default of payment to imprisonment for a period not exceeding 90 days.

b. Any person who violates any provision of this by-law and who is given notice of the violation may pay to the Town, at the place specified on the notice, the sum of \$200.00 as stated in the notice within 14 days of the date of the notice and shall thereby avoid prosecution for that violation.

23. Fees, Rules and Regulations

In addition to any other provision to this by-law the Committee may establish fees, rules and regulations pertaining to the Cemetery and approved by resolution of Town Council.

24. Repeal

All former Cemetery by-laws of the Town are hereby repealed and substituted therefore.

25. Effective Date

This by-law is effective upon publication.

David Devenne, Mayor

Maureen Hughes, Town Clerk

This is to certify that the foregoing is a true copy of the by-law passed at a duly convened meeting of the Council of the Town of Mahone Bay, held the day of 2022.

Given under the hand of the Mayor and the Town Clerk and the seal of the Town of Mahone Bay this day of 2022.

CLERK'S NOTATION

FIRST READING:	
"NOTICE OF INTENT" PUBLICATION:	
SECOND READING:	
MINISTERIAL APPROVAL:	N/A
DATE OF PUBLISHING:	
FORWARDED TO THE MINISTER:	
FORWARDED TO TOWN WEBSITE:	

A meeting of the Policy & Strategy Committee for the Town of Mahone Bay was held on Monday, May 30, 2022 at 7:00 p.m. in Council Chambers.

Present:

Mayor David Devenne
Deputy Mayor Francis Kangata
Councillor Penny Carver
Councillor Joseph Feeney
Councillor Richard Nowe
Councillor Kelly Wilson
CAO, Dylan Heide
Clerk, Maureen Hughes

Gallery:

Let us begin by acknowledging that we are gathered today in Mi'kma'ki. The ancestral, present and future territory of the Mi'kmaw people. Today, we gather with the intent followed by the living Peace and Friendship Treaties - with respect, cooperation and coexistence.

1. Approval of Agenda

A motion by Councillor Feeney, seconded by Councillor Nowe, **"THAT the agenda be approved as presented."** **Motion carried.**

2. Minutes

A motion by Councillor Carver, seconded by Deputy Mayor Kangata, **"THAT the minutes of the April 25, 2022 meeting be approved as presented."** **Motion carried.**

3. Low Income Property Tax Exemption

Council discussed the Low Income Tax Property Tax Exemption Policy.

A motion by Councillor Wilson, seconded by Councillor Nowe, **"THAT the Committee recommend that Council direct staff to investigate the net cost of a change in the low-income property tax subsidy to \$1000 rebate for household incomes \$30,000 or less; \$500 for \$30,001 to \$35,000; and \$250 for \$35,001 to \$40,000; with no rebate for a household income of more than \$40,000."** **Motion carried.**

4. HR Management Policy Development

Committee members discussed goals and objectives for the ongoing review of the Town of Mahone Bay Human Resources Management Policy.

5. Next meeting

5.1 Agenda items for recommendation to Council

A motion by Councillor Feeney, seconded by Councillor Nowe, **“THAT this committee recommend that Council set the agenda for the June 27, 2022 meeting of the Policy and Strategy Committee to include Graffiti and Vandalism.”** Motion carried.

5.2 Date and Time

The next meeting of the Policy and Strategy Committee will be on June 27, 2022 at 7:00pm.

The meeting adjourned on motion at 9:10 p.m.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Chair, Mayor David Devenne

Clerk, Maureen Hughes

A meeting of the Climate and Environment Advisory Committee for the Town of Mahone Bay was held on Wednesday, June 1, 2022 at 10:00 a.m. on Zoom.

Present

Councillor Penny Carver
Councillor Kelly Wilson
Sam Battaglia (left at 11:01 am)
Veryan Haysom
James Tilley
Mayor David Devenne
Dylan Heide, CAO
Martha Horsman, Climate & Environment Program Manager
Patrick Haddad, Climate & Energy Intern
Kelly Redden, Deputy Clerk

Absent:

Jamie Stephen (regrets)
Richard Wilson
Gregg Little

1. Approval of Agenda

A motion by Mayor Devenne, seconded by Councillor Wilson, "THAT the agenda be approved as presented." Motion carried.

2. Introductions

The committee members introduced themselves.

3. Overview of Terms of Reference, Committee Purpose and Committee Member Roles

The committee reviewed the committee's terms of reference, the purpose of the committee and the roles that committee members will play.

4. Introduction of Greenhouse Gas Action Plan Document

The Climate and Energy Program Manager provided a review of the Town's Greenhouse Gas Action Plan Review document including. The committee will continue the review at their next meeting.

Ms. Battaglia excused herself from the meeting at 11:01am.

The committee discussed having more frequent meetings while the Greenhouse Gas Action Plan review document is being reviewed by the committee.

The Deputy Clerk will email all committee members to check their availability to meet at 10am, Wednesday July 6, 2022.

The meeting adjourned at 11:30pm.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Chair, Councillor Penny Carver

Deputy Clerk, Kelly Redden