

**MUNICIPAL REGULATIONS  
TOWN OF HANTS HARBOUR**

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Published by Authority:

The following regulations have been made by the Town Council of Hants Harbour under the provisions of the Municipalities Act, 1999;

Interpretations: In these regulations, unless the context otherwise requires:

1. (a) Act - means the Municipalities Act, chapter M-23, 1999
- (b) Town - means the Town of Hants Harbour as defined by paragraph of the Order in Council dated the 3rd day of January, A.D. 2017 and made under the provisions of the Municipalities Act 1999.
- (c) Council - means the Town Council of the Town of Hants Harbour
- (d) System - means the public water and sewage systems of the Town Council of Hants Harbour as the owner and operator of the plant and equipment for the production, transmission delivery or furnishing of water to and for the public, and for the conveyance and disposal of sewage.
- (e) Customer - means any person, firm or corporation who or which contracts to be supplied with water or the disposal of sewage into the system
- (f) Domestic Service - means the type of service supplied to the owner or his authorized agent or to the occupant or tenant of any space or area occupied for the distinct purpose of a dwelling house, rooming house, apartment or flat.
- (g) Commercial Service - means any service other than domestic herein defined.
- (h) Town Maintenance Superintendent - means the person/persons appointed as such by council.
- (i) Water/Chlorination Plant Supervisor - means the person/persons appointed as such by Council.
- (j) Town Manager and/or Town Clerk - means the person/persons appointed as such by Council

## 1. Water and Sewer

- 1.1 1.1. Pursuant to the authority conferred by Section 413 and 414 of the Municipalities Act, Chapter M-24, S.N. 1999, the Town Council of Hants Harbour has made the following Regulations.
- 1.2. Interpretation: In these regulations, unless the context otherwise requires:
- Act - means the Municipalities Act, chapter M-23, 1999
- Town - means the Town of Hants Harbour
- Council - means the Town Council of the Town of Hants Harbour
- System - means the public water and sewage systems of the Town Council of Hants Harbour as the owner and operator of the plant and equipment for the production, transmission delivery or furnishing of water to and for the public, and for the conveyance and disposal of sewage.
- Customer - means any person, firm or corporation who or which contracts to be supplied with water or the disposal of sewage into the system
- Domestic Service - means the type of service supplied to the owner or his authorized agent or to the occupant or tenant of any space or area occupied for the distinct purpose of a dwelling house, rooming house, apartment or flat.
- Commercial Service - means any service other than domestic herein defined.
- Town Maintenance Superintendent - means the person/persons appointed as such by council.
- Water/Chlorination Plant Supervisor - means the person/persons appointed as such by Council.
- 1.2. Application for Service - Council shall, before rendering service, require a New Construction Application form completed and signed by the prospective customer.
- 1.3. Payment of Bills - Bills for water and sewer rates shall be rendered to each customer annually, provided however in the case of metered services, bills may be rendered monthly. All bills not paid as stated in billing shall be considered in arrears.
- 1.4. Adjustment of Bills - If the seal of a meter is broken or if a meter does not register correctly, the bill for that service shall be estimated in accordance with the last registered meter reading. Any customer desiring to question his/her bill must do so in writing within ten (10) days of receiving his/her bill.
- 1.5. Estimated Readings for Billing Purposes - If Council is unable to obtain a meter reading for billing purposes after exercising due diligence in the usual practice of meter reading; subject, however to the provision that in no circumstance shall an estimated reading be used for more than twelve (12) consecutive billing periods. If any estimated bill is rendered for more than twelve (12) consecutive billing periods Council shall notify the customer by registered mail that arrangements must be made to obtain a reading and failing such arrangements, service may be suspended until a meter reading has been

obtained. When such reading is obtained the previous estimated bill or bills shall be adjusted accordingly.

- 1.6. Installation and Removal of Meters - Meters shall be installed and removed only by representatives of Council and no other person shall install, alter, repair, change or remove a meter without the written permission of Council. The cost of the meter and installation shall be the responsibility of the property owner and must be paid in full before services are turned on to the building.
- 1.7. Access to Customer Premises - Representatives from Council shall have the right of access to all parts of a customer's property or premises at all reasonable hours with 24 hours notice unless in case of emergency for the purpose of inspecting any water or sewer pipes, fittings, appliances, or for the purpose of installing, removing, repairing, reading or inspecting meters. Council shall have the right to suspend service to any customer who refuses such access.
- 1.8. Discontinuance of Service for Non-payment of Rates or Taxes - Council may discontinue service from the system to any owner of a building or premises or part thereof who fails to pay on the due date any rates or taxes payable by him/her under the Municipalities Act. A reconnection fee of one hundred dollars (\$100) plus all taxes including current and accrued interest must be paid before services are reinstated.
- 1.9. Location of Meters - Council shall have the right to refuse service to, or suspend the service of, any customer who does not provide a place which in the opinion of Council is suitable for a meter. It should be in the building serviced, at or near the point of entry of the service pipe, in a place where it can be easily read and where it will not be exposed to freezing temperatures. Where the premises of a customer are such in nature that a meter cannot be properly installed in a building or if the building is not sufficiently frost proof as to guarantee the safety of the meter, Council may order construction of a suitable frost-proof box in which the meter can be installed. The cost of this box shall be the customer's responsibility. Services to such premises may be refused or suspended until such time as a frost-proof box, approved by Council, is installed.
- 1.10. Damage to Water Meters - Each customer shall be responsible for the meter installed in his/her service line and shall protect it. The customer shall be responsible for any damage to the meter resulting from carelessness, hot water, steam, the action of frost or from any other cause not the fault of the Council or its employees. The cost to Council occasioned by such damage to the meter shall be paid by the customer. If after the rendering of a bill by Council to the customer for such cost, the same is not paid within the time specified in Section 3, the supply of water to the customer concerned may be suspended until all charges are paid in full.
- 1.11. Meter testing - Upon receipt of a written request by a customer to have the meter tested, Council will remove the said meter and have it tested by the manufacturer's representative. If the test shows the meter to be over registering by more than four percent (4%), Council shall pay the cost of removal, testing and installation of a new meter. If the test shows the meter to be accurate within four percent (4%), the

customer shall be responsible for all costs incurred in the removal, transportation, testing and reinstallation of the said meter.

1.12. New Connections Water and/or Sewer -

- No service shall be provided to the system except in accordance with a written request to council
  
- Requests for new service line installations will only be accepted based on acceptable weather conditions. There shall be no new service installation or non-emergency waterline repairs between November 15th and April 15th, exceptions can be made where favorable weather conditions permit, at the discretion of Council.
  
- Service lines shall be installed to the main by the resident and at the resident's expense. Council shall be responsible for the connection of domestic or commercial water and sewer services to its system. The total cost of materials and installation shall be the responsibility of the customer from the main to the house. All costs incurred to council shall be paid in full before services are activated.
  
- Where a new service is undertaken by a resident to an area where the following conditions exist, council will consider supplying the materials (ie, pipe, fittings, etc) to install a main
  - No main currently exists
  - Potential for additional future services existsThe resident will still be responsible for all excavation and engineering, if necessary. This will be assessed by council on a case by case basis

1.13. Cutting of Pavement - Where the installation of any water and/or sewer service requires the cutting of pavement the cost of repairing or replacing the pavement shall be borne by the customer. Cost shall be determined on a square meter basis as per contractors pricing.

1.14. Service Shut off:

- 1.14.1. Any customer wishing to be disconnected or shut off from the system must make a written request via letter or email to have the water turned off or on. A work order shall be in place before the water is turned off or on. If water is not turned off over the winter at the request from the property owner and the water freezes, it is not the responsibility of the Council. Council is not responsible for water leaks inside the standpipe
  
- 1.14.2. Reconnection - any customer requesting the water be reconnected or turned on to the system shall pay a one hundred dollar (\$100) reconnection fee, in addition to all arrears of water and sewer rates and taxes. Section 1.14.2. applies to shut off's due to non-payment of taxes. This reconnection fee shall not apply to service lines shut off temporarily in order for the customer to make repairs to his/her own line or to summer residents who ask to have the water turned off for the winter and turned on in the summer.

- 1.15. Exemptions and Reductions in Water and Sewer Fees - Any customer who has a second family member occupying a portion of his/her dwelling where no rent is received, and is serviced by a single service line, shall not be required to pay a water and sewer fee on behalf of that person or family. The customer will be required to sign an affidavit to the effect that no rent is being received.
- 1.16. Cross Connections Prohibited - Connection of any customers installation served by the system to any other source of water supply is prohibited. Any other source of supply must be disconnected before the town supply is turned on. A valve for insulating an existing source from the town supply is not satisfactory. An air gap (minimum 1") or an approved double check valve assembly must exist to prevent back-siphonage of an existing supply into the town mains.
- 1.17. Dangerous Connections - No connection shall be permitted to any hot water furnace, washing machine, laundry tub, sink or any other equipment or source in such a manner as may allow any contamination to pass from such installation, equipment or source into the system. If any such connection exists an AWWA approved backflow prevention device must be installed and the type of device shall depend upon the degree of hazard involved. If any such connection exists without an approved backflow prevention device then council may discontinue the supply of water to that customer.
- 1.18. Unauthorized Extensions, Additions or Connections - No person shall, without the written consent of council, make or cause to be made any connections to any pipe or main or part of the water and/or sewer system or in any way obtain or use water there from in any manner other than as set out in these regulations.
- 1.19. Additional Connection - Any customer requiring an additional or larger service will be required to pay the full cost of materials and installation as stipulated in Section 1.12.
- 1.20. Improper Use or Waste of Water:
- 1.20.1. No customer shall permit the improper use or waste of water nor shall he/she sell or give away water to any person except upon such conditions and for such purposes as may be approved in writing by council.
- 1.20.2. No person shall use water from the town system for lawn or garden irrigation by the use of sprinklers or other continuous flow devices for more than four (4) hours duration in any twenty-four (24) hour period. Any customer failing to abide by this regulation shall be notified in writing that they may have service discontinued subject to Section 1.14.2.
- 1.21. Interference with the System - No person, unless authorized by Council, shall draw water from, open, close, cut, break, obstruct free access to, or in any way damage or interfere with any fire hydrant, water main, water pipe, sewer pipe, stop cock, valve or any other part of the systems provided, however, that nothing contained in these regulations shall be deemed to prevent an officer or member of the Fire Department or Town Employee when engaged in the work of such and approval of an application for

service to any premises which are not already provided with considers to be of suitable size and capacity provided that:

1.21.1. Service Pipes: Upon receipt and approval of an application for service to any premises which are not already provided with water and sewer services, Council shall install, subject to Section 11.3, a service pipe which it considers to be of suitable size and capacity provided that:

- All underground water service pipes shall be Type "K" soft copper with compression fittings or Municipex with compression fittings and stainless steel inserts. All brass fittings shall be red brass suitable for underground use.
- The minimum size of all water service lines shall be not less than 19 mm (3/4") in diameter, or as directed by a Town official.
- All service pipes, water and sewer, outside the building shall be bedded in sand with a minimum of 150mm (6") below the pipe and 150mm (6") above the pipe.
- A gate or ball valve shall be installed on the water service line at the point of entry in the building and shall be easily accessible.
- A pressure reducing valve shall be installed on the discharge side of, and next to the shut off valve.
- A vacuum relief (Anti-syphon) and a pressure relief valve shall be installed on all hot water heaters and any other pressure vessels.
- All radiation (Hot Water) furnaces shall be equipped with an AWWA approved backflow prevention device such as the Watts Series 9DM3/M2 or the Series 911 Combination backflow preventer and Hot Water Boiler fill valve or an approved equivalent.
- No quick closing valve may be used in any serviced building unless adequate protection against water hammer is provided.
- No water or sewer installation or part thereof shall be covered in or hidden from sight until it has been inspected by a Town Official.
- Council shall not install any underground service pipes between November 15th in one year and April 15th of the following year.

1.22. Location of Service Pipes- Where a service pipe has been installed without objection from the customer as to location of same, no subsequent removal or alteration to the position of the pipe shall be made except at the expense of the customer requesting such removal or alteration. Where a customer has a sewage disposal other than the town system, approval of such disposal system must be obtained from the appropriate Provincial Government Department before the town water is connected.

1.23. Repairs to Service:

- 1.23.1. Leak or Freeze up - If a leak or freezing or other problem occurs in a water or sewer service pipe it shall be repaired as soon as possible at the customers expense. Should the freeze up occur between the boundary and the main line it will be repaired by council at council's expense. The location of the freezing shall be determined by a council representative.
- 1.23.2. In the event of a leak in water supply service line, Council may discontinue the supply of water to the service line if such action is necessary to prevent wastage of water and chlorine, except in the case of emergency, the customer shall be given adequate notice of Council's intention to discontinue the supply of water.
- 1.23.3. Curb Stop Protection and Repair - Property Owners are responsible for the protection of their curb stops from damage. If a curb stop is damaged by the property owner or person hired by the property owner and has to be repaired by the town employees, all cost for labour and materials will be billed to the property owner including excavation and backfilling. This policy is to cover unnecessary damage and not curb stops that have deteriorated over time. Maintenance staff are willing to locate any curb stop that is not visible.
- 1.23.4. If Curb Stop is inside a resident's property line and there is a leak in that line, the leak shall be repaired by the town and the Curb Stop moved outside the property line.
- 1.23.5. If water is not turned off over the winter at a request from the property owner and the water freezes it is not the responsibility of council to have repaired
- 1.23.5. Council is not responsible for water leaks or freeze up's inside the standpipe

1.24. Sewer Lines:

- 1.24.1. All underground sewer pipes shall be PVC SDR-35 or PVC SDR-28 or as approved by council.
- 1.24.2. All residential service lines shall be a minimum of 100mm (4") in diameter.
- 1.24.3. All sewer lines other than residential shall be of a size to be determined and approved by council.
- 1.24.4. All buildings shall have a suitable clean out device installed in an easily accessible location inside the building.
- 1.24.5. Backflow prevention valves shall be installed on all sewer service lines within the town. The council shall not accept responsibility for any damage caused by the backup of sewage.

- 1.24.6. No basement floor drains, weeping tile, roof drains, or sump pumps shall be connected to the sanitary sewer. They shall be connected to a storm sewer, rock well or ditch.
- 1.25. Liability of Town - Council shall not guarantee an uninterrupted water supply or a sufficient or uniform pressure and shall not be liable for any damage or injury caused or done by reason of the interruption of supply, variation of pressure on an account of the turning off or turning on of the water for any reason.

## **2. Guidelines for Sewer Related Call Outs**

In the event of sewer problems, the following guiding policy will be followed by the town:

- 2.1. Sewer snakes will not be borrowed from the town unless a local supplier is unavailable. In this case, the borrower must sign a document making them responsible for any damages to the equipment.
- 2.2. Town employees are not to enter any building on a sewer call.
- 2.3. When a sewer problem occurs during regular working hours. Town employees will visit the site and determine if the main line is running freely. If it is running freely, the resident will be advised to call a plumber to rectify the situation as it is in their own line. After regular working hours including weekends, residents must call a plumber for all sewer problems. If a plumber determines that the problem is in the town's line then the town will reimburse the property owner for up to one hour of the plumber's time at fair market value. After town employees work on the site, should it be determined that the problem is actually in the property owners line (ie. not the town's responsibility), the property owner will be billed for the work performed by the town to recover all costs associated with the work.
- 2.4. In cases where the property owner is required to call a plumber and one cannot be contacted, only then will town employees enter a building or work on site. If the problem is the responsibility of the property owner, all town costs related to determining the problem and working to rectify the situation will be the owners responsibility. Prior to entering a building, the property owner, or a person able to make decisions on their behalf, will have to sign a form stating that the town is not responsible for any damages caused while working on the system including damages due to soiling from sewage. All clean up will be the owner's responsibility.

These amended water and sewer regulations were adopted by resolution of Council at a meeting held on May 4th 2023 and came into effect on May 5th, 2023.

All previous Water and Sewerage Systems regulations for the municipality are hereby repealed.

## **3. Apartments**

- 3.1. A second water and/or sewer fee will not be charged to a homeowner where an apartment is occupied by a family member and no rent is paid to the homeowner. An affidavit, signed by both parties, must be provided to council in order for an adjustment to be made.
- 3.2. All other apartments shall pay the applicable water and/or sewer fees as determined by council in the annual tax structure.

#### **4. Fence Regulations**

- 4.1. No fences shall be erected without application to the town clerk for approval by council prior to start of construction.
- 4.2. No new fence shall be erected in front of the building line of the property, except as set out in clause 4.3. below.
- 4.3. At the discretion of council, a fence may be permitted in front of the building line of a residential dwelling that is next to a public right of way. This fence will be considered a buffer to separate the residential property from the public right of way. The fence shall not exceed 4' or 1.2 meters in height.
- 4.4. Existing fences to be replaced at the discretion of council.
- 4.5. Council will not be responsible for damages, as a result of snow clearing, to private fences that are erected in front of the building line of the property.
- 4.6. Fences erected on a residential property shall be not more than 6' high, except as set out in clause 4.7. below.
- 4.7. After consultation with neighboring property owners, council may allow a fence to be erected which is up to 8' or 2.4 meters in height where it is situated to the rear of the residential property or separates a residential property from a non-residential property or a property situated in a different area. However, clauses 4.2. and 4.3. apply in respect of fences situated in front of the building line of a property.
- 4.8. No new fence shall be erected within 25' of the center of a town road.
- 4.9. Existing fences within 25' from the center of a town road will be allowed but council shall not be responsible or liable for any damages to said fences as a result of snow clearing or town maintenance activities.

#### **5. Snow Clearing Policy**

- 5.1. All named streets in the town will be snow cleared.

- 5.2. Roads that have been snow cleared in the past ten (10) years that are not named streets will continue to be done until property ownership changes.
- 5.3. Council is not responsible for any damage to residential property that is within 25' from the center of a road.
- 5.4. Residents are responsible to ensure that garbage boxes, fence, etc are within the required distance.
- 5.5. No person shall put snow on any town road as this practice could be a hazard to drivers.
- 5.6. During the winter months from December 1 to March 31, vehicles must not be left on the shoulder of roads in the town. Any damaged caused to a private vehicle left on the shoulder of the road will be the owners responsibility. Any damage caused to Council equipment due to vehicles left on shoulder of roads will be the responsibility of the vehicle owner.

## **6. Permit Regulations**

- 6.1. Prior to the start of any construction a permit must be obtained from the town office depending on the type of construction an application may be required for presentation and approval of council.
- 6.2. Complete building plans must accompany the application.
- 6.3. A survey of the land must accompany the application.
- 6.4. The start of construction without a permit may result in a fine of minimum \$500 being issued by the town.
- 6.5. The location of a residential dwelling must be determined by the Works Superintendent prior to the placement of footings.
- 6.6. Commercial Applications - All approvals must be received from all required government departments and a permit issued by the town prior to start of new construction or extensions (ie. Fire and Emergency Services, Dept of Labour, Dept of Health, Protected Roads and any other applicable approvals). Stop work orders will be issued to property owners commencing construction without obtaining all approvals and a permit from council.
- 6.7. Any permit not picked up in 90 days will be considered null and void and must be reapplied for before a permit will be issued.
- 6.8. Permit fees will be approved by council annually at the time of budget proceedings.
- 6.9. Minimum size residential building lots measure 15m X 30m (50' X 100'). Infill areas will be at the discretion of council.

- 6.10. Civic number must be displayed on the dwelling prior to water being turned on. Number must be a minimum of 3" high, a color that is in contrast with the material to which it is attached and clearly visible from the street.
- 6.11. Construction (houses, sheds, garages, etc) shall be at least 5' from an adjoining property line.
- 6.12. Decks shall not extend over a property line or extend into a public right of way.
- 6.13. Public right of ways shall have 142 cm (5') of clearance, that is 142cm (5') from property line to property line.

## **7. Driveway Culverts**

- 7.1 The first culvert to a residents property shall be the responsibility of the owner both for cost and installation.
- 7.2 No culvert shall be installed without the approval of Council.
- 7.3 No culvert shall be installed on the main highway through town or on route 80 without the approval of council and the Department of Transportation and Works.
- 7.4 When existing driveway culverts need replacing the Town shall be responsible for the purchase of the new culvert and the installation.
- 7.5 Council shall remove the existing culvert and install the new culvert at no cost to the Property Owner.

## **8. Anti-Litter Regulations**

- 8.1. Truck loads causing litter - No person shall drive or move any truck or other vehicle within the town unless such vehicle is so constructed, loaded, and covered so as to prevent any load, contents or litter from being blown or deposited upon any street, lane or public place or private property within the municipality.
- 8.2. Litter in parks - No person shall throw or deposit litter in any park within the town except in authorized receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any street or any part of the park or any other public place or private property. Where authorized receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.
- 8.3. Litter in Waterways - No person shall throw or deposit litter in any ditch, pond, or stream or other body of water in any park or elsewhere within the town.
- 8.4. Posting notices prohibited - No person shall post or affix any notice, poster or other matter or device calculated to attract attention of the public to any lamp post, public

utility pole, tree or upon any public structures or building except as may be authorized by the council or required by law.

8.5. Litter on Private Property - No person shall throw or deposit litter on any private property within the town, whether the property is owned by such person or not, except that the owner or person in control of private property may maintain authorized receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property within the municipality.

8.6. Car Wrecks

8.6.1. It shall be unlawful for any person to demolish or scrap any vehicle on private or public property within the town, without first having obtained permission, in writing, from council for that purpose.

8.6.2. The cost of an approval referred to in Section 8.6.1. of this regulation shall be \$0 which amount shall be refunded if the demolished or scrapped vehicle is discarded or dumped in a manner approved by council, within thirty (30) days from the date of approval.

8.6.3. Council shall have the right to remove from any private or public property any vehicle which has been demolished, abandoned or scrapped and left in the town as an eye sore and recover the cost of doing so from the owner as a civil debt. 30 days notice will be given.

8.7. Council may carry out directions - If any notice issued and served is not complied with or is not so far complied with as the council regards as reasonable within the timeframe in the notice, the council may carry out the directions contained in the notice through its officers, agents, employees or contractors and recover the cost of so doing as a civil debt from the person on whom the notice was served.

8.8. Enforcement - It shall be the duty of a police officer or any person assigned by the council to enforce these regulations.

8.8.1. to report the name and address of any person observed or reliably reported to have violated any of the provisions of these regulations.

8.8.2. To report the time and nature of the violations of the regulations, and any circumstances being relevant to the violation.

8.8.3. To serve upon the person violating any provision of these regulations a serially numbered notice that the person concerned has violated a provision of the regulations and instructing such person to carry out any order in regard to such violation.

9. Animal Regulations

9.1. These regulations may be sited as the Town of Hants Harbour Animal Control Regulations:

Interpretations: In these regulations, unless the context otherwise requires:

(a) Act - means the Municipalities Act, chapter M-23, 1999

(b) Town - means the Town of Hants Harbour as defined by paragraph \_\_\_\_ of the Order in Council dated the \_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_ and made under the provisions of the Municipalities Act 1999.

(c) Council - means the Town Council of the Town of Hants Harbour

(d) Premises - for the purpose of these regulations will be deemed to mean land all buildings with the exception of residential buildings.

(e) Animal - means cows, horses, ponies, donkeys, pigs, goats, sheep, chickens, ducks, geese, or other animals usually known as farm animals but not solely limited to the aforementioned and not including common household pets;

(f) Impounder - means any person appointed as such by the Council to enforce these regulations

(g) Residential Area - means the property boundaries of dwellings where people live

9.2. (a) No person shall keep, harbor, or shelter any farm animals within the municipal boundaries of the Town of Hants Harbour unless they are properly fenced as per the town's fence regulations. A permit is required to erect a fence within town boundaries.

(b) Farm animals shall be kept on the owner's property and not be a nuisance to other residents. Any damage done to a resident's property as a result of farm animals will be the liability of the animal owner.

(c) Only a resident and property owner of the town shall be permitted to keep, harbor, or shelter farm animals within town boundaries.

(d) Buildings used to house farm animals shall be constructed under a building permit and shall be built to comply with the town building regulations. A building permit is required.

9.3. No person shall permit any animal of which he is the owner to roam at large on any street within the town or in any open field or common area from which free access can be had to any street, all animals must be properly tethered at all times or otherwise confined to the enclosed premises of the owner. When outside the enclosed premises of the owner, animals must be on a leash and accompanied by a person capable of controlling and restraining such an animal.

9.4. It shall be the duty of the impounder to seize and impound any animal found at large contrary to sections 9.9. and 9.3. of these regulations and to enter any premises for the purpose of recapturing any such animal which may escape from his/her control.

9.5. When an animal has been impounded, the impounder shall make a record of such impounding in a book for that purpose, and may then, but shall not be bound to; advertise that such animal has been impounded.

- 9.6. Any diseased or injured animal found at large in the town contrary to these regulations may be humanely destroyed by the impounder.
- 9.7. The owner may recover an impounded animal on such proof of his ownership as the impounder may require and upon payment of all fees and expenses in connection with the impounding and keep of the animal(s).
- 9.8. The following fees shall be paid by the owner of any animals seized or impounded and may be deducted from the proceeds of any sales of such animals:

For seizing or impounding an animal(s)-----\$50.00 per animal  
 For each day during which an animal is held in pound-----\$5.00 per animal  
 For sale, including Notice of Sale-----\$5.00 per animal

The owner shall pay all actual expenses for necessary food and veterinary treatment, if any, for an impounded or seized animal.

- 9.9. The impounder shall keep any unclaimed animal(s) impounded for not more than two (2) weeks and after the expiration of such period shall offer such animal for public or private sale, and if the animal(s) are sold, shall deduct from the price all fees and expenses payable under Section 9.8. of these regulations and pay over the balance, if any, to the Town Clerk for the use of the owner.
- 9.10. At any time within twelve (12) months after an unclaimed animal has been sold, the owner, upon giving such proof of ownership as the Town Clerk may require, shall be paid the balance deposited with the Town Clerk in respect of such animal. If any balance has not been claimed by the owner within the prescribed period, it shall be paid into the general revenue of the town.
- 9.11. Should there be no purchase of any animal offered for sale under Section 9.9. of these regulations; the impounder may forthwith destroy the animal.
- 9.12. The impounder may destroy the animal found at large within the town if, in his/her opinion, such animal is diseased, injured or vicious or in such other condition that it ought to be destroyed or is of a value less than the probable fees and expenses of its impounding, keeping and sale, and shall so dispose of the carcass or hide as council deems fit, except such carcass or hide shall not be placed in the sea, in a pond, lake, stream, or any waterway which flows into the sea.
- 9.13. Any person who violates any of the provisions of these regulations shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding one thousand dollars (\$1000.00) and in default of payment of such penalty to imprisonment for a period not exceeding ninety days (90), or to both fine and imprisonment.
- 9.14. Any person who interferes with or attempts to interfere with an impounder, or their agents, in the exercise of their duties, such person shall be deemed to have committed an offence in terms of these regulations.

9.14.1. Any person who, without the authority of the Impounder, release any animal which has been impounded shall be deemed to have committed an offence in terms of these regulations.

9.14.2. Every person requested by the Impounder shall, on request, forthwith give his/her proper name and address.

This regulation was adopted by resolution of Council at a meeting held on November 12th, 2020 and came into effect on November 13th, 2020.

**10. Land Sale Policy**

Development Requirements for properties purchase from the town for commercial development.

10.1. Development must have commenced within six (6) months from the date of a signed purchase/sale agreement and must be completed with twelve(12) months from the date of a signed purchase/sale agreement.

10.2. Immediately upon meeting all requirements of an acceptable purchase/sale agreement to the town, 25% of the agreed upon price, plus all HST owing, must be paid. This amount will be non-refundable should the development not comply with the aforementioned development conditions. The balance of funds owed must be received upon commencement of development.

**11. Municipal Tax Incentive Policy**

11.1. The Town of Hants Harbour will not consider business under this Tax Incentive Policy that are eligible to apply under the EDGE Program. Any business not eligible for the EDGE program will have to provide verification upon request.

11.2. The Town of Hants Harbour will not consider a Tax concession for any business that is in direct competition with any existing business. Each request will be considered on an individual basis.

11.3. Business that do not qualify for the EDGE program may be considered for a Tax concession under the following criteria:

11.3.1. Non-competitive business - any business not participating in whole or in part in any product, activity or service of any other business already established within the jurisdictional area.

11.3.2. Tax exemption will be considered for business tax only.

11.3.3. Verification of investment confirmation must be received by way of financial statements or letter of verification from a recognized auditing firm. In kind

labour value, equipment donation or estimated investment dollar value will not be recognized for the purpose of determining eligibility.

11.3.4. Formula outline investment amount tax exemption as follows:

\$25000 to \$100000	- 1 year tax exemption
\$100001 to \$200000	- 2 years tax exemption
\$200001 and up	- 3 years tax exemption

11.3.5. Job Creation new business must result in new job creation.

11.3.6. Personal/Home based businesses do not qualify under the above legislation unless hiring other than family members.

11.3.7. Amendments: Council reserves the right to amend and/or terminate these regulations at any time.

## **12. Public Right of Ways, Footpaths, and Public Easements**

12.1 Whereas the town council of the Town of Hants Harbour is aware of the existence of various unpaved public right of ways, footpaths, and public easements within the town, created by open and notorious use of land by the public; and whereas Council's decisions are limited by financial, economic, social and political factors, including the present and future cost of paving, maintaining, monitoring and inspecting public rights of ways, the town's limited resources and personnel, and the difficulty of identifying and comprehensively listing rights of ways in a historic community such as the town; Council hereby resolves that it will not pave, maintain, monitor or inspect any currently unpaved right of way, footpath, or public easement within the town. In making this decision, Council has fully considered the financial, economic, social and political factors inherent in the decision whether or not to pave, maintain, monitor and inspect various right of ways. In making this decision, council is also attempting to strike a balance between its limited financial and human resources and to promote safe and sustainable transportation infrastructure within the town.

This regulation was adopted by resolution of Council at a meeting held on January 31st, 2019 and came into effect on February 1st, 2019

## **13. Sawmills Regulations**

No person shall operate a saw mill in the Town of Hants Harbour without an approval permit from the Town Council.

Prior to construction or operation of a saw mill the following shall be adhered to:

1. A permit application and plans shall be submitted to council for approval
2. Operation and maintenance of a saw mill shall be in accordance with provincial guidelines and regulations
3. Saw mills shall be operated within the accessory building on the property to reduce noise during operation
4. Annual approval by the municipality prior to renewal by the Department of Fisheries and Land Resources is required

5. Permit fee of \$50.00 - commercial, \$25.00 - Hobby/Personal required annually.
6. The area around the saw mill shall be kept clean and tidy with no garbage or refuse
7. The saw mill building shall be kept in good repair
8. It is the responsibility of the permit holder to ensure that the above referenced conditions are met.
9. Receipt of a permit from the Town of Hants Harbour does not release the applicant from the obligation to obtain approval from other provincial and federal departments and agencies and applicable utility companies where easements may be involved.  
Violation of any of the saw mill regulations shall be grounds for denial of an annual permit to operate said mill.

This regulation was adopted by resolution of Council at a meeting held on November 14th, 2019 and came into effect on November 15th, 2019

#### **14. Municipal Heritage Designation Regulations**

Pursuant to the authority conferred by sections 200, 413 and 414 of the Municipalities Act, 1999, and other powers enabling the Town Council of the Town of Hants Harbour, the following regulation was adopted, by resolution, on the 6th day of October, 2022

##### **1. Title**

This document shall be know and cited as Town of Hants Harbour Municipal Heritage Designation Regulations

##### **2. Interpretation**

(a) Act - means the Municipalities Act of 1999, Government of NL

(b) Council - means the Town Council of Hants Harbour incorporated under the Act.

(c) Town - will mean the Town of Hants Harbour

(d) Municipality - means the Town of Hants Harbour

(e) Municipal Heritage Site - a structure, building, group of buildings, district, landscape, parcel of land or archaeological site of significant historic value within the municipality, whether it is privately owned or owned by the Town of Hants Harbour.

(f) "permit" - means a permit issued by the council that is valid only for the length of time and location stated on the permit

##### **3. Policy Statement**

The purpose of this policy is to outline the regulations for the designation of Municipal Heritage Sites in the Town of Hants Harbour

##### **4. Regulation**

4.1 Any building, structure or land designated by Council as a heritage building, structure or land shall not be demolished or built upon nor the exterior of the building or structure

altered, except under written permit from Council specifically authorizing the alteration and in accordance with the terms and conditions of the permit

- 4.2 A permit issued to preserve, rehabilitate or restore a municipal heritage site shall be guided by the standards and guidelines developed by Parks Canada for the conservation of Historic Places in Canada

**5. Designation of Municipal Heritage Sites**

- 5.1 Council may act in accordance with the Municipalities Act 1999, and designate as a Municipal Heritage Site any site within the boundaries of the Municipality that in the opinion of Council represents an important development of; its natural history; its people and their culture; and land adjacent to a Municipal Heritage site, although not containing heritage resources
- 5.2 Council may on its own initiative, consider, advise, and make recommendations respecting the designation of buildings, structures, and lands as Municipal Heritage Sites, the issuance of permits and the demolition, preservation, alteration or renovation of those buildings, structures and lands.

**6. Procedure**

- 1) Site is nominated for designation
- 2) Site is reviewed by Council
- 3) Statement of Significance is drafted
- 4) Site is accepted and designated, by resolution of Council, as a Municipal Heritage Site
- 5) Municipal Heritage Site is listed on Provincial Register of Historic Sites, hosted by Heritage NL

**7. Notice**

- 7.1 Written notice of Council's designation shall be given to the owner or owners of such property by mail or electronic correspondence

**8. Protection of Proposed and Designated Municipal Sites**

- 8.1 No person shall remove, pull down, or demolish any building or structure designated as a municipal heritage building or structure, nor shall the exterior of any municipal heritage building or structure be altered or repaired without permit by Council specifically authorizing the alteration and in accordance with the terms and conditions of the permit
- 8.2 No person shall build upon any land that has been designated as a municipal heritage site or cause the land to be altered by any means without a permit by Council specifically authorizing the alteration and in accordance with the terms and conditions of the permit
- 8.3 No person shall carry out any work, activity, development of project upon or within a site that is subject to designation or has been designated a municipal heritage site, unless and until Council has issued a permit authorizing the work, activity, development or project and unless the work, activity, development or project is carried out in accordance with such terms and conditions as Council may impose and as may be set out in or attached to the permit

- 8.4 Except for minor repairs and interior work which do not alter the original appearance or materials of the building or structure, all development applications, including fences and outbuildings for designated municipal heritage sites, shall be referred to a regular meeting of Council before granting approval
- 8.5 Any application for a permit required under this section shall be in such form and shall contain such information as Council may prescribe
- 8.6 After considering the application, Council may approve the work, activity, development or project in the form in which it is proposed, may approve with such variations as Council deems necessary for the protection of the site, or may deny the application

**9. Penalty**

- 9.1 If any order made under Municipal Heritage Designation Regulations are not complied with within the town set out in the order, then upon the expiration of the appeal period, the owner or owners of the property is guilty of an offence and liable to summary conviction to the penalties set forth in a court of law

**10. Register of Municipal Heritage Sites**

- 10.1 A registry of designated municipal heritage sites shall be maintained by the Town. This list may from time to time be updated without amendment to the development regulations.

**11. Date Effective**

- 11.1 These regulations were adopted by resolution of Council at a meeting held on 6th day of October, 2022, and will come into effect on the 7th day of October, 2022, and shall be cited as the Town of Hants Harbour's Municipal Heritage Regulations. All municipal heritage sites designated by Council prior to this date are reconfirmed as municipal heritage designations under these regulations.

Adopted by Council on October 6th, 2022 motion # 259

**15. Asset Management Policy**

<b>Policy Name:</b>	<b>Asset Management Policy</b>	<b>Policy No. 15</b>
<b>Effective Date:</b>	<b>May 19th 2023</b>	<b>Renewal date:</b>

**1. PURPOSE:**

- The Municipality of Hants Harbour is committed to improving the long-term sustainability of our infrastructure. This asset management policy formalizes our commitment to asset management and provides a consistent framework for service delivery and infrastructure.

**2. STRATEGIC ALIGNMENT:**

- The principles in this asset management policy and our asset management planning will align with our town's regulations, financial plans, economic development plans and feasibility plans.

**3. SCOPE:**

- This policy applies to assets owned and managed by our municipality as well as all services offered except for waste management. Waste Management services are contracted through the Eastern Regional Service Board.

**4. PRINCIPLES:**

- Service Delivery to Customers: Our Municipality will consider the services currently provided and the need to add more services. The Town will carefully weigh the benefits and costs of increasing or decreasing levels of service before making investment decisions.
- Holistic Approach: Our Municipality will take an integrated and coordinated approach to decisions on infrastructure maximizing value to the community in a larger service delivery context, not just as an isolated asset.
- Long term Sustainability and Resilience: Our Municipality's asset management decision-making will consider the needs of both current and future generations and potential challenges associated with changing demographics and expectations related to service delivery.
- Fiscal Responsibility and Asset Management Decision-Making: Consideration will be given to all life-cycle costs including the cost to build, operate and maintain infrastructure in budgeting and financial planning.
- Continuous Improvement: Our Municipality recognizes the value of asset management planning in improving information for decision-making and commits to implementing asset management processes.

**5. Roles and Responsibilities:**

- Council is responsible for:
  - Approving asset management policy
  - Articulating community values and define priorities
  - Approval of funding and resources to implement the asset management policy and associated requirements
  - Approval of asset funding through multi-year and long range financial plans
  - All staff involved in the application of asset management are responsible for observing the requirements of the asset management policy
  - Council is responsible for leading implementation of the asset management policy across the municipality

**16. Surveillance System Policy and Procedure**

The Town Council of Hants Harbour have decided to install a surveillance system that will oversee the maintenance depot garages, the Community Garden, the recreation entrance and sheds as well as the service counter inside the town office for the following reasons:

1. There have been vandalism to the recreation grounds, gravel taken from the maintenance stock pile of material, and other issues in the past
2. There are no homes in the area
3. The closest RCMP detachment is approximately 45 kms (40 minutes) away
4. The Town of Hants Harbour is not in a financial position to hire enforcement officers.

The area will be recorded 24 hours per day, 365 days per year

Proper signage will be used to notify people that the area is under surveillance

The ATIPP Coordinator/Town Clerk/Manager, ATIPP Head/Mayor, Deputy Mayor and/or the Superintendent of Works can view the surveillance video if there is a suspected instance of vandalism or robbery.

If there is vandalism or robbery, the surveillance video can be viewed by the RCMP.

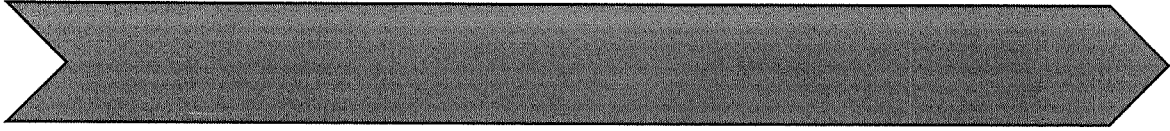
The ATIPP Coordinator/Town Clerk/Manager will be responsible to decide who will view the surveillance video if there is suspected case of vandalism or robbery

The surveillance videos will be kept for 12 months and deleted if it is not needed for legal purposes

The surveillance system will not be used to monitor staff performance

# Town of Hants Harbour Accessibility Plan

December 20th 2023



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## Welcome Message / Introduction

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The Town of Hants Harbour prides itself on being an open, inclusive community. The Town has made great strides in improving accessibility in its built environment and will continue to seek for ways to improve. The Town of Hants Harbour currently have 2 buildings that are both accessible to the public. The Recreation center is a newly constructed building completed in 2012, in 2023 a piece was built on to the recreation building to accommodate the Town office and Chambers, and the Fire Hall was completed in 2019 also made accessible to the public.

## Advancements to Date

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The Town of Hants Harbour recreation center is now completely accessible to the public. The parking lot is partially paved and has designated blue zone parking spaces in front of the Recreation Center. The entire building can be accessed once you are inside. The doors on the inside of the building are all 3' openings. There is a wheelchair accessible stand alone bathroom clearly marked for identification. The Fire Hall is equipped with 2 accessible showers and 2 bathrooms. There is an accessible service counter in the Town Hall for residents and the chambers are accessible.

The Town has a Telnatik call system and all public service announcements and alerts are forwarded to the public through SMS, Voice or Email. We also publish notices on our website and social media pages

## Accessibility Goals

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- Consult with residents/stakeholders to ascertain their views on barriers to accessibility
- Provide information in accessible formats when requested. Email [townofhants Harbour@hotmail.ca](mailto:townofhants Harbour@hotmail.ca) or call 709-586-2741
- Initiate processes where there is a more thorough review "through an accessibility lens"
- Acquisition of accessible playground equipment
- Audio/Visual improvements

## Promoting Accessibility Awareness

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- The Town of Hants Harbour will promote Accessibility Awareness through its website and social media page.

## Glossary of Terms

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## Accessibility Act

The Provincial law enacted to achieve accessibility by preventing and removing barriers for people with disabilities. the Accessibility Act defines the role and responsibilities of the Disability Policy Office and the Accessibility Standards Advisory Board, and addresses standards, compliance and enforcement.

- **Accessibility Plan** - A plan developed to address the prevention, identification, and removal of barriers in the policies, programs, practices, and services of a public body.
- **Accessibility Standards** - Accessibility standards establish clear, specific, and achievable goals to identify, prevent and remove barriers. Each standard will be introduced in stages with a timeframe for implementation. The standards and timelines would consider all sectors such as government, business, municipalities, and community organizations.
- **Accessibility Standards Advisory Board** - The Board shall consist of a minimum of seven (7) members and a maximum of nine (9) members appointed by the Lieutenant-Governor in Council on the recommendation of the Minister. The composition of this board states that at least one-half of the members are either persons with disabilities, or representatives from organizations of or for persons with disabilities, and at least one member shall be an Indigenous person.
- **Accommodation (or disability related support)** - Any technical aid or device, personal support or disability-related support or other accommodation a person may require. This can include, but is not limited to: accessible meeting rooms; accessible formats such as Braille and plain language; mobility supports to attend a meeting; and, sign language interpreters, captioning or ensuring space has sensory sensitive features.
- **Barrier** - Something that makes it harder for some people to participate. The Accessibility Act defines a barrier as “anything that prevents a person with a disability from fully participating in society, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, or a barrier established or perpetuated by an Act, regulations, a policy, or a practice.
- **Disability** - As defined in Accessibility Act: “disability includes a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation that is permanent, temporary or episodic in nature that in interaction with a barrier prevents a person from fully participating in society”.
- **Disability Policy Office** - The Disability Policy Office is a division of government that works with all government departments and agencies to assist in the development of policies and programs that include people with disabilities and that are barrier free. This office also acts as administrative support to the Accessibility Standards Advisory Board.
- **Enabling Legislation** - Enabling legislation allows for further development of associated regulations and policies rather than prescribing specific requirements in legislation. Enabling legislation provides a broad focus on areas of authority that the government can act on in the future. These standards will be developed with the engagement of associated stakeholders including the persons with lived experience, business community, Public Bodies, and government departments.

- Equitable/equity -A commitment to fairness. Equitable access is different from equal access. Equality means everybody is treated the same; equity means everybody is treated fairly, based on their needs and abilities.
  
- Plain language - Clear, conversational communication that makes sense to the intended audience. The goal of plain language is to communicate so clearly that the intended audience can easily find what they need, understand what they find, and use the information. There are helpful resources available online, including the Plain Language Action and Information Network
  
- Public Body - As defined in the Accessibility Act, public bodies include all provincial government, agencies, boards, commissions and committees, municipalities, public educational institutions and private educational institutions. Part I (o.) of the Accessibility Act includes the full list.
  
- Standard Development Committee -Where it is determined that an accessibility standard is to be developed, the Accessibility Standards Advisory Board is to establish a Standard Development Committee to assist the Board in developing the content and implementation of the standard. There will be terms of reference for the committee which will identify the criteria for any technical experts and timelines. Committee members will consist of persons with disabilities or organizations representing them; representatives from departments that have responsibilities related to the standard under development and representatives of organizations and public bodies that may be affected by the standard.

## **Statement of Commitment**

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The Town of Hants Harbour is committed to making our public body and the services we provide accessible to all, including persons with disabilities. Everyone has the right to benefit from our services equally and those who work with us have the right to perform their jobs free of barriers. We will follow the Accessibility Act and build on our commitment to accessibility, diversity, equality and inclusion

## **Focus Areas**

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- Programs and Services – ensure everyone has equitable access;
- Built Environment – make buildings, shared spaces, public transportation and transportation infrastructure accessible;

- Information and Communication – ensure everyone receives, understands, and shares the information provided by your public body;
- Goods, Services and Facilities – ensure people with disabilities have equitable access to the goods and/or services provided by your public body;
- Accommodations – ensure disability related accommodations or supports are provided for equitable participation;
- Education – provide accessible and inclusive learning opportunities;
- Employment – make an accessible workplace, and support people with disabilities in finding and maintaining meaningful employment.

### **Actions / Outcomes**

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- Responsibilities – it will be the responsibility of the Town Clerk/Manager to ensure that the plan is updated every 3 years as per the **Accessibility Act**.
- Timeline – The plan will be evaluated every 3 years during the month of November.
- Monitoring and Evaluating – A questionnaire will be sent out to all stakeholders in October of every year to monitor and evaluate the effectiveness of the plan and allow stakeholders to inform us of any barriers we may not be aware of
- Questions and Complaints - develop an effective procedure to respond to and address questions and complaints

### **Conclusion**

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The Town of Hants Harbour will work diligently in the next 3 years to further our accessibility goals. We will update our plan every 3 years with ongoing feedback from stakeholders and we will check compliance when standards become regulations that require the Town of Hants Harbour, as a public body, to follow and we will update our plan accordingly.

This policy has been adopted by the Town of Hants Harbour at a regular meeting of council held on January 11th 2024