

**REGULAR SESSION OF MUNICIPAL COUNCIL  
December 15, 2009**

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Minutes of the **regular session** of **Municipal Council** held on **December 15, 2009**, in the Municipal Administration Building, Annapolis Royal, N.S. at 10:24 a.m.

**Present:** Warden Peter Newton; Deputy-Warden Reginald Ritchie; Councillors: Marilyn Wilkins, Brian “Fuzzy” Connell, Wayne Fowler, Paul McDonald, Tom Vitiello, Patrick McWade, Frank Chipman, Martha Roberts, and Ron Trimper; Municipal Clerk Jacquie Farrow-Lawrence; and CAO Brenda Orchard.

**Also**

**Present:** Laurie Emms, Municipal Services Director; and Gerald Hackenschmidt, Director of Finance.

### **In-camera Session**

Pursuant to Section 22(2)(c); Councillor McWade moved, seconded by Councillor McDonald, that Municipal Council go in camera at 10:25 a.m. to discuss a personnel matter. Council reconvened into regular session at 10:35 a.m.

### **Minutes**

#### **MOTION 091215.01 Minutes: Council Session on November 17, 2009**

Deputy Warden Ritchie moved, seconded by Councillor Wilkins, that the minutes of the regular session held on November 17, 2009, be approved as circulated. Motion carried unanimously.

### **Business Arising From The Minutes:**

#### **Re: Municipal Bylaw Amendments and Policy Amendments**

#### **MOTION 091215.02 Municipal Bylaw Amendments: A1 Dogs Bylaw**

Pursuant to first reading given on November 17, 2009; Deputy Warden Ritchie moved, seconded by Councillor Vitiello, that Municipal Council approve final reading to amend the *A1 Dogs Bylaw* as circulated and becomes effective April 1, 2010. Motion carried unanimously. *See Schedule A to the minutes.*

#### **MOTION 091215.03 AM-1.4.7 Dog Registrations Fee Policy**

It was moved by Deputy-Warden Ritchie, seconded by Councillor McDonald, that seven(7)-days’ notice be waived and the *AM-1.4.7 Dog Registrations Fee Policy* be amended as circulated and becomes effective April 1, 2010. Motion carried unanimously. *See Schedule B to the minutes.*

#### **Re: Nominating Committee**

#### **MOTION 091215.04 Standing and Special Committees of Council: Police Advisory Board**

Pursuant to the recommendation of the Nominating Committee; Deputy-Warden Ritchie moved, seconded by Councillor McDonald, that Deputy-Warden Ritchie and Councillor Brian Connell be re-appointed as councillor representatives on the Police Advisory Board for a one-year term ending November 30, 2010. Motion carried unanimously.

**Re: Irving Barge Sinking in Atlantic Canada (Shovelmaster)** – Council received a letter of support (*November 24<sup>th</sup>*) from the District of Lunenburg as well as a response dated December 2<sup>nd</sup> from the Hon. Jim Prentice, Federal Minister of the Environment who advised that:

- he shares the County's concerns with respect to the potential release of any toxic substances into the marine environment from the Shovelmaster; but also recognizes the potential catastrophic release of oil from any attempted operation; and
- given that the barge is currently in a stable condition, they will support the actions taken by other regulatory agencies to date, will monitor the situation and carry out a rigorous evaluation.

**MOTION 091215.05 Irving Barge Sinking in Atlantic Canada (Shovelmaster) – Minister's Response**  
Deputy-Warden Ritchie moved, seconded by Councillor Vitiello, that the letter of support from the District of Lunenburg and the response from the Federal Minister of the Environment be received for information. Motion carried unanimously.

### **Reports and Recommendations:**

#### **Re: Report of the Municipal Solicitor**

- **Monthly Report** – The Municipal Solicitor submitted a report on the following legal services for the past month:
  - *Human Resource Policies* – conference with CAO.
  - *Tax Sale Property* - conference with Bill Hamilton and Chris Parker re transfer of open space in Whispering Pines Subdivision re Aldred/Geiger property on tax sale list.
  - *Personnel Matters & MGA* – attendance at Committee of the Whole meeting re conference with Council to review personnel matters and structures and terms of *MGA*.
  - *Kings Transit Agreement* – conference with Warden, CAO and Councilor Trimper re proposed agreement.

#### **MOTION 091215.06 Monthly Report of Municipal Solicitor**

It was moved by Councilor Trimper, seconded by Councilor Fowler, that the monthly report of the Municipal Solicitor be accepted as presented. Motion carried unanimously.

#### **Re: Committee of the Whole (December 8<sup>th</sup> Meeting) –**

- **Parks Levy – Marvel Metals, Nictaux**

#### **MOTION 091215.07 Parks Levy: Marvel Metals, Nictaux**

In accordance with the recommendation of Staff and Committee of the Whole; Deputy-Warden Ritchie moved, seconded by Councilor Chipman, that Municipal Council approve Mr. Terry Scotney's (Marvel Metals) offer of 2.8 acres of land in the Nictaux area near Old Run Way Drive & Orchard Drive in the Bonavista Subdivision, Phase V (which is greater than the five per cent parks levy requirement) that will provide a green space to connect two subdivisions, including an agreement to grant the County an easement to connect a future road system, making the land accessible to the public from both the south and north sides and thereby satisfying the parks levy requirement for the entire area shown on the plan of subdivision and remaining lands as prepared by DeWolfe & Morse Surveying Limited – PID 05074620 – dated September 10, 2009. Motion carried unanimously.

- **Association of Western Valley Cap Sites (AWVCS), Letter of Support**

#### **MOTION 091215.08 Association of Western Valley Cap Sites: Letter of Support**

Pursuant to the recommendation of Committee of the Whole; Deputy-Warden Ritchie moved, seconded by Councilor McDonald, that Municipal Council ratify the letter of

support to the Association of Western Valley Cap Sites for their Community Computer/Internet Education Initiative as circulated. Motion carried unanimously.

- ***Valley Waste-Resource Management, Amendment to Intermunicipal Services Agreement***

**MOTION 091215.09 VWRM: Amendment to Intermunicipal Services Agreement**

In accordance with the recommendation of Staff and Committee of the Whole; Deputy-Warden Ritchie moved, seconded by Councillor Vitiello, that the Municipality of the County of Annapolis ratify the Amending Agreement (as approved by the Authority on November 18, 2009) to the Valley Region Solid Waste-Resource Management Authority Intermunicipal Services Agreement dated October 1, 2001, specifically the addition of new Clause 10(7) related to the provision of borrowing powers to the Authority, as well as incidental amendments and corrections to Clauses 19(2) and 19(3). Motion carried unanimously.

- ***Sidewalk Policy & Winter Maintenance***

**MOTION 091215.10 Sidewalk Policy & Winter Maintenance: Bear River Sidewalks**

As recommended by Committee of the Whole; Deputy-Warden Ritchie moved, seconded by Councillor McWade, that Municipal Council provide winter maintenance for the sidewalks in Bear River during the three-month period from December 15, 2009, to March 15, 2010, and not to exceed a cost of \$5,000. Motion carried. (9 in favour; 2 against - Fowler, Trimper)

## **Presentations:**

### **Re: Staff Recognitions: Awards & Long-Term Service Recognitions**

- ***Mountain Lea Lodge and Adult Residential Centre***
  - ***30 Years of Service*** – Councillor McDonald, Chair of the Annapolis County Municipal Housing Corporation, recognized gifts and framed certificates for 30 years of service to **Anne Taylor** and **Donna Viner** from the Adult Residential Centre.
  - ***25 Years of Service*** – Councillor McDonald, Chair of the Annapolis County Municipal Housing Corporation, presented the following employees with gifts and framed certificates for 25 years of service: **Rosalie Gale, Connie Balcom (not present), Christine Chute** and **Pamela Jones** from Mountain Lea Lodge.
  - ***20 years of Service*** – Councillor McDonald, Chair of the Annapolis County Municipal Housing Corporation, presented a pewter keychain representing 20 years of service to **Joyce Bent, Karel Spicer, Joyce Hatt** and **Teresa Nixon**, of Mountain Lea Lodge.
- ***Municipality of the County of Annapolis***
  - ***30 Years of Service*** – Brenda Orchard, CAO, presented gifts and a framed certificate representing 30 years of service to **Holly Orde**.
  - ***25 Years of Service*** – CAO Brenda Orchard presented a gift and framed certificate representing 25 years of service to **Doug Theriault**.
  - ***20 Years of Service*** - Brenda Orchard, CAO, presented a pewter keychain representing 20 years of service to **Wanda Atwell** and **Andrée Leveille**.
  - ***Certificates*** – CAO Brenda Orchard presented the following certificates which had been earned or received over the past year:
    - **Wanda Atwell** and **Cynthia Pettipas**– *AMA Membership Certificates*
    - **Andrée Leveille** and **Shelly Hudson** – *20 year AMA Certificates*
    - **Carolyn Young** – *Perfectionnement du français oral et écrit – Université Sainte Anne*

- **Jacquie Farrow-Lawrence** – *Master Municipal Clerk, International Institute of Municipal Clerks (plaque and pin)*. The Municipal Clerk announced she will be taking early retirement.

• **Public Works Services**

- **Lucas Roch** – Municipal Services Director Laurie Emms presented a framed certificate for successful completion of the *Water Treatment Class I, Nova Scotia Environment*
- **James Jenner** – Municipal Services Director Laurie Emms presented a framed certificate for successful completion of the *Water Treatment Class III, Nova Scotia Environment*

Re: UNSM Active Transportation Video – Recreation Coordinator Debra Ryan introduced the Active Transportation Video prepared by Active Living Coordinator Andre Bouchard for the UNSM Active Transportation Steering Committee promoting strategies, plans and programs in support of active transportation initiatives.

Re: UNSM Active Transportation Resolution – Pursuant to the recommendation of Staff and Committee of the Whole; Deputy-Warden Ritchie moved, seconded by Councillor Fowler, the endorsement of the following UNSM Resolution 20A:

“**Whereas** studies indicate that two-thirds of Nova Scotians are not active enough to achieve health benefits;

**And Whereas** active transportation, including walking, biking and other modes of non-motorized travel within the community, can have a significant positive impact on health;

**And Whereas** active transportation is an easy, low-cost activity that reduces greenhouse gas emissions and parking costs;

**Therefore Be It Resolved** that the Municipality of the County of Annapolis support and endorse the Union of Nova Scotia Municipalities’ Resolution 20A – to make active transportation strategies among the membership (our communities) and with other government agencies, and to advocate for improved roads and other infrastructure to develop and encourage safe walking, cycling and other active transportation opportunities for both Nova Scotians and visitors.”

- Motion carried unanimously.

Re: Share the Road Campaign, Presentation to Staff Sgt. John Ennis – The Warden presented a framed certificate to Staff Sgt. John Ennis in recognition of his commitment and support of *The Annapolis County Share the Road Campaign*, a public education campaign designed to make roads safer for cyclists, pedestrians and motorists.

**Other Business:**

Re: UNSM: Recognition of Credentials for Out-of-Province Building Inspectors – A letter dated December 8<sup>th</sup> was received from the District of Chester, supporting the County’s position that out-of-province building inspectors should be recognized if they successfully challenge the exam. It was moved by Deputy-Warden Ritchie, seconded by Councillor Vitiello, that this letter be received for information. Motion carried unanimously.

Re: Annapolis Valley Regional School Board, School Facilities Review – Council received a copy of a letter dated November 26<sup>th</sup> addressed to the Annapolis Valley Regional School Board from the Mayor of Bridgetown, expressing concern regarding rumours that of the immediate closure of one or more of the town schools or the possible loss of Grades 10 to 12 at the Bridgetown Regional High School. The foregoing letter was received for information upon motion of Councillor Wilkins, seconded by Councillor Chipman. Motion carried unanimously.

Re: Eastlink Proposed Tower in Port George – Council received a copy of a letter dated November 30<sup>th</sup> addressed to Bragg Communications Inc. (Eastlink) from Industry Canada (Spectrum Management Nova Scotia District Office), confirming that the IC default process was followed in the absence of an established Land-Use Authorities antenna siting protocol and construction of the tower will be proceeding with the tower base setback from Douglas Road of 92 metres (300 feet). Deputy-Warden Ritchie moved, seconded by Councillor McDonald, that this letter be received for information. Motion carried unanimously.

Re: Canada Gets Active Program, Legislative Resolution Congratulating the County – Council received a resolution signed by Stephen McNeil, MLA Annapolis and Leader of NS Liberal Party, which was passed in the Nova Scotia House of Assembly on November 3<sup>rd</sup>, noting that the County was one of only six communities selected to be part of the Canada Gets Active Program and congratulating the County on continuing to actively promote healthy living for its residents.

**MOTION 091215.11 Canada Gets Active Program, Legislative Resolution of Congratulations**

It was moved by Deputy-Warden Ritchie, seconded by Councillor Wilkins, that the resolution passed by the Provincial House of Assembly be accepted for information, a letter of appreciation be forwarded to Stephen McNeil for presenting the resolution, and recommendation be given to Andre Bouchard for his efforts which were instrumental in the County being selected for the pilot project. Motion carried unanimously.

**New Business:**

Re: Town of Annapolis Royal, Invitation to Discuss Land-Use Planning and Related Issues – A letter dated November 23<sup>rd</sup> was received from the Town of Annapolis Royal inquiring as to the County's interest in participating in discussions regarding land-use planning and related issues in the Annapolis Royal area; and if so, advising whom would be appointed.

**MOTION 091215.12 Town of Annapolis Royal: Land-Use Planning & Related Issues**

Upon motion of Deputy-Warden Ritchie, seconded by Councillor McDonald, it was resolved that a letter be forwarded advising the Town that the County does not have land-use planning in either Granville Ferry or Lequille; but should the County undertake land use planning in these areas in the future, their letter will be taken under advisement. Motion carried unanimously.

Re: Nova Scotia Community College's Report to the Community 2009 – Council received a letter dated November 25<sup>th</sup> from the NSCC Board of Governors, forwarding their Report to the Community 2009 in which it relates the impact public and post-secondary education has had on individuals, families, communities, employers, researchers and our community as well as inviting the County to share their own connection to the College in this year's on-line edition, with the College donating \$1 to the NSCC Foundation for the first 1,000 on-line stories received before December 31<sup>st</sup>. It was moved by Deputy-Warden Ritchie, seconded by Councillor Vitiello, to receive the foregoing correspondence for information. Motion carried unanimously.

Re: Highway 101 Signage, Request from Paradise Women's Institute – A letter dated November 23<sup>rd</sup> was received from the Paradise Women's Institute inquiring if the County will soon be able to erect the kind of attractive signage seen along Highway #101 similar to other jurisdictions.

**MOTION 091215.13 Highway 101 Signage Promoting Annapolis County**

It was moved by Councillor Wilkins, seconded by Councillor Roberts, that a letter be forwarded to the Paradise Women's Institute thanking them for their interest in having

promotional highway signage for the County and advising that this item has been included in the County's capital budget for consideration in 2010. Motion carried unanimously.

Re: Atlantic Mayors' Congress, Invitation to County to be a Member – A letter dated November 10<sup>th</sup> was received from Mayor Peter Kelly, Chair of the Atlantic Mayors' Congress, informing that the Congress provides a forum for exploring commonalities and establishing common policy positions at the provincial and federal levels and inviting the County to consider joining the Atlantic Mayors' Congress.

**MOTION 091215.14 Atlantic Mayors' Congress, Invitation to County to Join**

Upon motion of Councillor McDonald, seconded by Councillor Wilkins, it was resolved that the Municipality of the County of Annapolis become a member of the Atlantic Mayors' Congress. Motion carried unanimously.

Re: ACTS Motorized Vehicles on DAR Corridor Through Paradise – A letter dated November 25<sup>th</sup> was received from the Paradise Active Healthy Living Society (PAHLS), noting that recent articles in the *Chronicle Herald* highlight the concern of local residents that motorized vehicles (ATVs) on the DAR corridor in Paradise are in violation of the County's S5 Orderly & Peaceful Conduct Bylaw (i.e. – too much noise near residents, late night driving, overall disturbing the neighbourhood). It was moved by Councillor Connell, seconded by Councillor McWade, to receive same for information. Motion carried unanimously.

Re: Municipal Property Acquisition, Whispering Pines, Wilmot – A Request for Decision dated December 4<sup>th</sup> was received from the Municipal Services Director advising that the property owners have suggested that a piece of land coming up for tax sale had been intended for municipal park purposes but was never transferred, and the County could acquire this land at a total cost of \$572.83 plus legal fees.

**MOTION 091215.15 Municipal Property Acquisition, Whispering Pines, Wilmot**

Pursuant to Staff recommendation; it was moved by Councillor Wilkins, seconded by Councillor McWade, that Council approve the acquisition of two parcels of land, being PID Numbers 05177399 and 05206172 in Whispering Pines, Wilmot. Motion carried unanimously.

Re: Bear River Board of Trade, Support in Principle for Waterfront Development – A letter dated November 3<sup>rd</sup> was received from the Bear River Board of Trade requesting the County's support in principle for waterfront development through the reconstruction of the Bear River waterfront.

**MOTION 091215.16 Bear River Bd. of Trade: Support in Principle for Waterfront Development**

Upon motion of Deputy-Warden Ritchie, seconded by Councillor McWade, it was resolved that a letter be forwarded to the Bear River Board of Trade acknowledging receipt of their correspondence and advising that the Municipality supports in principle the Bear River Waterfront Park Project. Motion carried unanimously.

**Correspondence:**

Re: Annapolis County Canadian Mental Health Association – An email dated December 1<sup>st</sup> was received from the Annapolis County Canadian Mental Health Association, thanking Council for past support and expressing disappointment that the County representative would be discontinued; and same was received for information upon motion of Councillors Wilkins and Vitiello. Motion carried unanimously.

Re: Student Bursary Recipient, Brianne Barteaux – A card of appreciation was received from Brianne Barteaux for the County's support in her participation in the Provincial Volleyball Program in which the two Nova Scotia teams finished first and second at the East Canadian Elite Championships, and she was

named 'all star'. It was moved by Councillor Wilkins, seconded by Councillor Chipman, that this correspondence be received for information. Motion carried unanimously.

Re: Greenways Nova Scotia (NSPACTS Initiative), Newsletter – Greenways Nova Scotia circulated their first newsletter and position paper which was received for information upon motion of Councillor Vitiello, seconded by Councillor Wilkins. Motion carried unanimously.

Re: Annapolis Digby Economic Development Agency (ADEDA), Mid-Year Review Panel – A letter dated November 23<sup>rd</sup> was received from ADEDA, thanking the Warden for supporting their presentation to the Mid-year Review Panel of federal and provincial funding agencies on November 20<sup>th</sup>. Deputy-Warden Ritchie moved, seconded by Councillor Vitiello, that this letter be received for information. Motion carried unanimously.

Re: Annapolis West Health Foundation, Appreciation for Contribution to Seniors' Safety Program – A letter dated November 24<sup>th</sup> was received from the Foundation, thanking the County for their generous contribution towards the Seniors' Safety Program and continued support of this project. This letter was received for information upon motion of Councillor Wilkins, seconded by Councillor Chipman. Motion carried unanimously.

### **Other Business:**

Re: Lifplex Wellness Facility – Submissions – Council received a handout of the following submissions regarding the Lifplex Wellness Facility:

- ***Submissions which were presented at the November 19<sup>th</sup> Committee of the Whole special meeting***
  - 17 submissions received.
- ***Submissions received subsequent to November 19<sup>th</sup>***
  - 3 letters of concern
  - 3 letters of support from other governments (MLA for Digby-Annapolis and the District of Digby).
  - 1 letter of support from an organization (Annapolis West Health Foundation)
  - 3 letters of support (2 from County residents and 1 from a County business).
  - 89 postcards of support (with a sampling noted of different perspectives and locations).
  - 1 letter of concern received after handout prepared on December 10<sup>th</sup>.

#### **MOTION 091215.17 Lifplex Wellness Facility - Submissions**

It was moved by Councillor Wilkins, seconded by Councillor McWade, that the foregoing correspondence be received for information. Motion carried unanimously.

### **Addendum Items:**

Re: Provincial Day to Honour Volunteer Firefighters – Council received a letter dated December 9<sup>th</sup> from the County of Pictou supporting the County's request for a Provincial Day to Honour Volunteer Firefighters. Councillor Vitiello moved, seconded by Councillor McWade, that this letter be received for information. Motion carried unanimously.

Re: Planning Advisory Committee (December 15<sup>th</sup> Meeting)

- ***Land-Use Bylaw for One-Year Moratorium on Wind Power Development***

#### **MOTION 091215.18 Motion Rescinded July 20, 2010**

Re: Valley Regional Health Authority, Health Procedures - Councillor McWade informed he is aware of two recent serious emergency incidents at the Annapolis Community Health Centre in which critical assistance was delayed due to the closure of emergency services on Tuesdays and Thursdays.



**MOTION 091215.19 Valley Regional Health Authority, Health Procedures**

It was moved by Councillor McWade, seconded by Councillor Fowler, that the President of the Valley Regional Health Authority be invited to Council to discuss health procedures in general. Motion carried unanimously.

Re: Valley Waste-Resource Management Authority, Appreciation to Deputy-Warden Ritchie as Past Chair - Deputy-Warden Ritchie informed that recently Councillor Keith Irving of Wolfville was appointed the Chair of Valley Waste-Resource Management Authority.

**MOTION 091215.20 VWRM: Appreciation to Deputy-Warden Ritchie as Past Chair**

Councillor Vitiello moved, seconded by Councillor McWade, that the Municipality officially thank Deputy-Warden Ritchie for his integrity and dedicated service in his role as the Chair of the Valley Waste-Resource Management Authority for the past several years. Motion carried unanimously.

**Adjournment**

Upon motion of Councillor Wilkins, seconded by Councillor Fowler, Council adjourned at 12:01 p.m.

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**Warden**

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**Municipal Clerk**

**A1 DOGS BYLAW**

Be it enacted by the Municipal Council for the Municipality of the County of Annapolis as follows:

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**SHORT TITLE**

This Bylaw shall be known as A1 Dogs Bylaw and may be cited as the “Dog Bylaw.”

**PART I - DEFINITIONS**

1. In this bylaw,
  - (a) "Clerk" means the Municipal Clerk of the Municipality or the person designated by the Clerk to administer this bylaw.
  - (b) "dog" means any dog, male or female, or any animal that is the result of the breeding of a dog and any other animal;
  - (c) “fierce or dangerous” includes without being limited to:
    - (1) any dog which shows a propensity, tendency or disposition to attack without provocation any other domestic animals or persons;
    - (2) any dog when either unmuzzled, unleashed or unattended by its owner, or a member of the owner’s family, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon streets, sidewalks, any public grounds or places, or on private property other than the property of the owner.
    - (3) any dog which has bitten another domestic animal or person without provocation.
    - (4) any dog which is owned, trained or harboured primarily or in part for the purpose of dog fighting provided that no dog shall be deemed a “fierce or dangerous dog” solely because it bites, attacks or menaces a trespasser on the property of its owner, harms or menaces anyone who has tormented or abused it, was at the time of its aggressive behaviour acting in defence to an attack from a person or animal or acting in defence of its young, its owner or is a professionally-trained guard dog for law enforcement or guard duties.
  - (d) “identification system” means any system, either external or internal, for the identification of a dog which contains a serial number or other means of identification as prescribed by the Clerk
  - (e) “kennel” means any premises where dogs are harboured or bred as a commercial service or for sport or exhibition purposes for periods longer than 60 days.

- (f) “municipality” means the Municipality of the County of Annapolis.
- (g) “owner” of a dog includes any person who possesses, has the care of, has the control of or harbours a dog, and where the person is a minor, includes the person responsible for the custody of the minor.
- (h) “registration fee” is the fee stipulated in AM-1.4.7 Dog Registration Fees Policy.
- (i) “runs at large” means a dog off the premises of its owner, with or without a leash; and furthermore, a dog shall be deemed to be running at large where it is on any private property or premises without the permission of the Owner or occupant thereof.
- (j) “spayed or neutered” means incapable of reproduction as certified by a licensed veterinarian.

**PART II - DOG CONTROL**

2. The owner of any dog which:

- (a) runs at large; or
- (b) is fierce or dangerous or;
- (c) persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or
- (d) fails to remove the dog’s faeces from public or private property, subject to paragraph 3;

is guilty of an offence against this Bylaw and is subject on conviction to a penalty of not less than \$165.00 and not more than \$1,000.00. Each of (a), (b), (c) or (d) is a separate and distinct offence.

- 3. It shall be a defence to a charge under 2(d) that the dog is trained to assist and is assisting a person with a disability, or that the dog owner is prohibited by the owner of private property from entering upon it to remove the faeces.
- 4. Notwithstanding clause 2(a) of this section and the definition of runs at large, it shall not be an offence where a dog is without a leash provided that at all time the dog is under the continuous and effective control of its owner or some other person if at the time the dog is:
  - (a) participating in an organized hunt, organized dog exhibition event or dog field trials;
  - (b) participating in a search and rescue operation or police operation;
  - (c) working on a farm;
  - (d) in a public area where dogs are permitted to be without a leash subject to such limitations as are posted.
- 5. The Animal Control Officer may, without notice or complaint against the owner of any dog, impound, sell, kill on sight or otherwise dispose of a dog that:
  - runs at large contrary to the bylaw; or
  - is fierce or dangerous; or
  - is rabid or appears to be rabid or exhibiting symptoms of canine madness.
- 6. The Animal Control Officer may, without notice or complaint against the owner of any dog, impound and subsequently sell or otherwise dispose of a dog that persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or

**PART III - REGISTRATION**

- 7. Residents have the option of paying for a one-time registration pursuant to policy and receive a dog tag, with identification information compiled by the Municipality.

**PART IV - DOG POUND**

- 8. The Council shall appoint a pound keeper who shall keep all dogs delivered to him or which have been impounded after persistently running at large, and furnish them with food and water.
- 9. Upon a dog being impounded, the pound keeper shall, if the dog bears a tag issued by the Clerk of this Municipality, mail to the registered owner by ordinary mail postage prepaid and shall, whether the dog bears a tag or not, post on his premises and in three other public places within the Municipality not later than seventy-two hours before the time fixed thereon, a notice in the following form:

**DOG NOTICE**

TAKE NOTICE that a dog (insert brief description with number on tag, if any) has been impounded in the animal pound of the Municipality of Annapolis County at \_\_\_\_\_, and unless such dog is claimed (and registered) not later than (hour, day and date) the said dog may be destroyed or disposed of according to law.

Dated at \_\_\_\_\_, N.S. this \_\_\_ day of \_\_\_\_\_, A.D. 20\_\_.  
(name)  
Pound Keeper

- 10. The proceeds of any sale shall be paid over to the Clerk.
- 11. If at the expiration of the time fixed by the notice, the dog is not claimed and not registered according to this Bylaw, the pound keeper shall dispose of the dog, either by selling, giving it away or by destroying it.
- 12. If the owner appears and claims the dog before the time fixed by the said notice, the dog shall be turned over to him/her on payment of an impounding fee of \$30.00 plus travel expense at the Nova Scotia Government approved rate for the actual distance traveled out and back and upon payment of any tax required by this bylaw and on payment of an administration fee of \$10.00 for posting the notice, and the pound keeper's fees and all necessary veterinary fees incurred by him in respect thereof. The pound keeper's fees shall be for board of each dog, for each 24 hour period and for any portion of any 24 hour period, \$15.00. An amount of \$25.00 shall be charged for a dog which had not been registered.

The Clerk or designate is authorized to make payment arrangements for the release of an impounded dog provided that thirty percent is received prior to the dog being released and the owner signs a consent document which acknowledges that should the payment arrangement not be honoured, the dog will be impounded and not released to the original owner until all impounding fees are paid in full.

- 13. An administration fee shall be charged for processing any cheque returned for insufficient funds.
- 14. Notwithstanding the foregoing, the owner of any dog which has been impounded for its third infraction within twelve months of running at large contrary to this bylaw shall not be allowed to redeem this dog.
- 15. Council may appoint such officers as it deems necessary for the carrying out of this bylaw including a dog regulation officer who may be appointed a bylaw enforcement officer under the terms of the Police Act.

Passed by Council this 20<sup>th</sup> day of April, A.D., 1999.

*Jacquie Z. Farrow-Lawrence*

**Jacquie Z. Farrow-Lawrence**

**Municipal Clerk**

BYLAW A1

*First Reading:* ..... **March 16, 1999**

*Second Reading:* ..... **April 20, 1999**

*Publication Date:* ..... **April 27, 1999**

**Amendment to Section 20:**

*First reading* ..... **April 20, 2004**

*Second reading*..... **May 18, 2004**

*Publication*..... **June 15, 2004**

**Amendments for Voluntary Registration**

*First reading*..... **November 17, 2009**

*Second reading*..... **December 15, 2009**

*Publication*..... **December 24, 2009**

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS <b>POLICY AND ADMINISTRATION MANUAL</b>		<b>AM - 1.4.7</b>
Section <b>Municipal Services</b>	Subject <b>Dog Registration Fees</b>	

**1. APPLICATION**

This policy comes into effect April 1, 2010, and remains in place until otherwise revised by Municipal Council.

**2. AUTHORITY FOR POLICY**

Sections 175(1)(b) & (c), *Municipal Government Act*, as amended.

**3. VOLUNTEER DOG REGISTRATION SYSTEM**

- a. County residents have the option to register their dog on a volunteer basis for a one-time fee of \$25.00.
- b. The registration can be transferred to a subsequent dog, with the registration information updated.
- c. A fee of \$5.00 is required for a replacement tag.

Effective 02-03-19 Revised 03-03-18; 05-01-18; 07-12-18;  
 Amended December 15, 2009