

BY-LAW / POLICY COMMITTEE MEETING

Monday, September 23rd, 2024, 6:00 p.m.
Council Chambers

AGENDA

1. Call to Order
2. Approval of Agenda
3. Review of Minutes
 - a) September 9th, 2024
4. By-Law / Policy, Re:
 - a) Council Procedural Policy, 2nd Draft
 - b) Committee Terms of Reference
 - c) Street Light Policy, 2nd Draft Amendment
 - d) Presentations and Delegations Appearing before the Committee of the Whole or Municipal Council Policy, Amendment
 - e) Dog By-Law, Review
5. Review of the By-Law/Policy Priority List
6. Recommendations to Council (if required)
7. Adjournment

By-Law/Policy Committee Meeting

September 9th, 2024 – 6:00 p.m.

Location: Council Chambers

Present: Warden Amanda Mombourquette, Deputy Warden Shawn Samson, Councillor Michael Diggdon, Councillor Brent Sampson, Councillor Melanie Sampson, Stacey Morrison, Appointed Member, Troy MacCulloch, Chief Administrative Officer, Chris Boudreau, Director of Public Works, Shannon Mury, Director of Community Development and Recreation, Shelley David, Municipal Clerk

Regrets: Kathleen Jeffrey, Interim Director of Finance

Call to Order

Warden Amanda Mombourquette called the meeting to order at 6:02 p.m.

Approval of Agenda

Moved by Councillor Melanie Sampson, seconded by Deputy Warden Shawn Samson that the agenda be approved.

Motion carried.

Review of Minutes re: July 30th, 2024

Moved by Councillor Brent Sampson, seconded by Councillor Michael Diggdon that the minutes of the July 30th, 2024, meeting be approved.

Motion carried.

Review of Policies/ By-Laws

a) Council Procedural Policy, 1st Draft

It was the consensus of the Committee to have staff amend the draft with the recommended changes as discussed.

b) Committee Terms of Reference

i. Fences Arbitration Committee

Moved by Councillor Brent Sampson, seconded by Deputy Warden Shawn Samson that the Committee of the Whole recommend to Council to approve the Fences Arbitration Committee Terms of Reference as presented.

Motion carried.

ii. Municipal Emergency Management Advisory Committee (MEMAC)

Moved by Councillor Melanie Sampson, seconded by Councillor Michael Diggdon that the Committee of the Whole recommend to Council to approve the MEMAC Terms of Reference as presented.

Motion carried.

iii. Audit Committee

Moved by Deputy Warden Shawn Samson, seconded by Councillor Brent Sampson that the Committee of the Whole recommend to Council to approve the Audit Committee Terms of Reference as presented.

Motion carried.

iv. Planning Advisory/Heritage Committee

Moved by Councillor Melanie Samson, seconded by Councillor Brent Sampson that the Committee of the Whole recommend to Council to approve the Planning Advisory/Heritage Committee Terms of Reference as presented.

Motion carried.

v. By-Law/Policy Committee

Moved by Deputy Warden Shawn Samson, seconded by Councillor Melanie Sampson that the Committee of the Whole recommend to Council to approve the By-Law/Policy Committee Terms of Reference as presented with the changes as discussed.

Motion carried.

vi. RCMP Advisory Board

Moved by Councillor Melanie Sampson, seconded by Deputy Warden Shawn Samson that the Committee of the Whole recommend to Council to approve the RCMP Advisory Board Terms of Reference as presented.

Motion carried.

c) Committee Matrix, Appendix A – Committees Policy

Moved by Councillor Brent Sampson, seconded by Councillor Melanie Sampson that the Committee of the Whole recommend to Council to approve the Committee Matrix, Appendix A of the Committees Policy as presented with the changes as discussed.

Motion carried.

d) Street Light Policy, Amendment

It was the consensus of the Committee to have staff amend the draft with the recommended changes as discussed.

e) Presentations and Delegations Appearing before the Committee of the Whole or Municipal Council Policy, Amended

It was the consensus of the Committee to defer to the next meeting.

f) Dog By-Law Review

It was the consensus of the Committee to defer to the next meeting.

By-Law / Policy Working List

For information only.

Recommend to Council

- Proceed with the approval for the following committee terms of reference:
 - o Fences Arbitration Committee
 - o MEMAC
 - o Audit Committee, amended
 - o Planning Advisory/Heritage Committee
 - o By-Law/Policy Committee
 - o RCMP Advisory Committee
- Proceed with the approval for the Committee Matrix, Appendix A of the Committees Policy as amended.

Adjournment

There being no further business, the chair adjourned at 6:57 p.m.

Municipal Clerk

Chairperson



Title: Council Procedural Policy

Approved by Council

Date:

Policy Review Notification

Date:

Policy Review

Date:

I certify this to be a true copy of the **Council Procedural Policy** as adopted by the Municipal Council of Richmond County at a Public Meeting held _____.

Shelley David
Municipal Clerk

1. Purpose

The purpose of this policy is to outline the operating principles and procedures to be used for Council and agencies, boards, commissions, and committees (ABCCs) established by Council in the execution of all business for the Municipality of the County of Richmond relating to meeting protocol, the election of officers, conflict of interest, rules of order and debate, motions, voting, and choices in governance by by-law, policy, or resolution.

2. Scope

- 2.1. This policy applies to meetings of the Municipality of the County of Richmond's municipal Council, including ABCCs established by Council.
- 2.2. This policy applies to all members of Council, staff, citizen members appointed to ABCCs established by Council, (unless otherwise specified by a By-Law, Terms of Reference, or other governing document), citizens appointed to external ABCCs, individuals who appear before the Council, and members of the public.



3. Definitions

In this policy:

- a) **“ABCCs”** means Agencies, Boards, Commissions, and Committees established by Council. This acronym may also be used throughout this document to interchangeably mean boards of municipally owned corporations, ABCCs established by bylaw, advisory committees, task forces, working groups, and other bodies. At times, a distinction is made to note Council-established ABCCs, i.e. those created by Council, to differentiate them from those to which are not under the Municipality’s control.
- b) **“Acting Warden”** means a member of Council selected by Council to be Acting Warden in the absence or inability of the Warden and Deputy Warden to act.
- c) **“Abstain”** means a member who is lawfully entitled to vote but chooses not to exercise their right to vote on a matter.
- d) **“Agenda”** means the specific items of business to be dealt with at a meeting. Items are placed on the agenda in the sequence defined by the order of business.
- e) **“Business day”** means a day when the Municipality of the County of Richmond office is open for business.
- f) **“Chief Administrative Officer or CAO”**- The administrative head of a municipality as appointed by Council under subsection 86(2)(c) of the Municipal Government Act.
- g) **“Clerk”** means the municipal clerk of the Municipality of the County of Richmond and/or designate.
- h) **“Council”** means the Warden and Councillors of the Municipality of the County of Richmond, being elected pursuant to the provisions of the Municipal Government Act, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Municipal Government Act.
- i) **“Council member(s)”** means all members of Council, include(s) the Warden unless the context indicates otherwise.



- j) **“Conflict of interest”** means a direct or indirect conflict of interest within the meaning of the Municipal Conflict of Interest Act.
- k) **“Deputy Warden”** means the member of Council who is elected by Council to act as Warden;
- l) **“Improper conduct”** means Conduct that obstructs in any way the deliberations and/or proper action of the committee or Council.
- m) **“Leave of Council”** means permission of Council.
- n) **“MOCR”** means the Municipality of the County of Richmond
- o) **“Personnel”** means employees of the Municipality of the County of Richmond (excluding elected officials).
- p) **“Point of personal privilege”** means a matter that a member considers questioning their integrity and/or the integrity of the Council.
- q) **“Policy matter”** means a matter which will be governed by the provisions of the policy and includes any matter on which decisions may have to be made on a regular or repetitive basis on which Council wishes to guide the process or specify the principles to be adhered to by Council or staff as they make that decision.
- r) **“Presiding Officer”** means: (a) the Warden when presiding at a meeting of the Council, (b) the Deputy Warden when presiding at a meeting of the Council in the absence of the Warden, (c) Chairperson of a Council established ABCC; or (d) such other member as may be presiding at a meeting of the Council in the absence of the Warden and Deputy Warden.
- s) **“Quorum”** means a majority of the total number of voting members currently on Council or established ABCC or as per the terms of reference, by-law or other governing document.
- s) **“Regular meeting”** means a scheduled meeting held in accordance with the approved calendar/schedule of meetings.
- t) **“Warden”** means the Council member chosen by the Council of MOCR to be the presiding officer of the Council.



4. Roles and Responsibilities

4.1. Municipal Council will:

- a) Review and identify necessary revisions to the Council Procedural Policy in collaboration with the Chief Administrative Officer.

4.2. The CAO will:

- a) Administer and implement the Council Procedural Policy.
- b) Identify necessary revisions to this policy and facilitate the annual review in collaboration with Council.

4.3. Municipal staff will:

- a) Adhere to the policy procedures as outlined in this policy.

Policy

5. Policy Statement

The procedural requirements in this policy are intended to complement and supplement, not to replace, the requirements contained in the Municipal Government Act (MGA). In the event of any conflict between the provisions of this policy and the MGA and this policy, the MGA will prevail.

6. Application of the Policy

- 6.1. The rules of procedure contained in this policy shall be observed in all proceedings of Council and ABCCs established by Council and shall be the rules for the order and dispatch of business in Council and Council established ABCCs.
- 6.2. All points of order or procedure for which rules have not been provided in this policy and its appendices shall be decided by the presiding officer in accordance, as far as is reasonably practicable, with the rules of parliamentary law as contained in Robert's Rules of Order, 12th edition or the most recent edition.

- 6.3. This Council Procedural Policy serves to replace any former municipal policies or past practices referencing the proceedings of Council or ABCCs established by Council.

7. Presiding Officer

7.1. Election of Presiding Officer

- a) Warden
- i. The Warden will be elected at the first meeting of Council, immediately after the Councillors-elect have taken the Oath of Office and signed the Code of Conduct.
 - ii. All nominations will be received verbally, with nominations to be closed by motion. After nominations have closed, Councillors having let their names stand for election will each have 5 minutes to address Council.
 - iii. Voting will take place via secret ballot with counting to take place by staff. After counting, the clerk will announce if a majority was achieved by any candidate.
 - iv. If a majority has not been achieved, then the candidate with the lowest number of votes is dropped from the ballot and an additional vote is held. This process continues until a candidate achieves a majority or until only two candidates remain.
 - v. If only two candidates remain, if necessary, two votes will take place to determine a majority. If no majority is achieved after two votes, then the Clerk will determine the Warden from the two leading candidates by lot as per section 12(5) of the MGA.
 - vi. After the declaration of the Warden, all ballots related to the election shall be destroyed in the presence of Council, unless otherwise decided by a majority vote.
 - vii. The Warden will hold office for a term of two (2) years as outlined in the MOCR Terms of Warden Policy.



- viii. The Warden shall be the presiding officer at all Council meetings, unless unavailable, in which case the Deputy Warden shall be the presiding officer.
 - ix. The Warden is considered an ex-officio member of all ABCCs established by Council, other than those to which the Warden has been appointed as a member. As an ex-officio member, the Warden may participate in an ABCC but not vote and not affect quorum.
 - x. If the Warden position becomes vacant during the term of Council, the newly elected Warden shall hold office **until the end of the Warden's current term**, unless overturned as per section 12(7) of the MGA.
- b) Deputy Warden
- i. The election of the Deputy Warden will take place immediately following the election of the Warden and be conducted in the same manner as the election of the Warden.
 - ii. The Deputy Warden will hold office for a term of one (1) as outlined in the MOCR Terms of Deputy Warden Policy.
 - iii. If the Deputy Warden position becomes vacant during the term of Council, the newly elected Deputy Warden shall hold office **until the end of the Deputy Warden's current term**, unless overturned in a similar manner of overturning the Warden as per section 12(7) of the MGA.
- c) Acting Warden
- i. Council may at any time appoint a member of Council to be Acting Warden in the absence or inability of the Warden and the Deputy Warden to act.
 - ii. **The term of the Acting Warden will conclude upon the return of either the Warden or Deputy Warden to their respective duties.**

- d) Chairperson and Vice Chairperson
 - i. The selection of the Chairperson and Vice Chairperson for ABCCs established by Council will be selected by the members of their respective ABCC unless otherwise specified in By-Laws, Terms of Reference, or other governing document.

8. Duties of the Presiding Officer

It shall be the duty of the presiding officer to:

- 8.1. Open the meeting by taking the chair, calling the members to order, and announcing the business before the assembly and the order in which it is to be acted upon;
- 8.2. Ensure the meeting agenda is followed and that the meeting progresses with due efficiency;
- 8.3. Protect all rights of those attending the meeting;
- 8.4. Receive and put to a vote all motions presented and to announce the result;
- 8.5. Decline to put to vote motions which infringe upon the rules of order or are beyond the jurisdiction of the assembly;
- 8.6. Enforce the rules of order;
- 8.7. Preserve order and decide points of order;
- 8.8. Restrain the members within the rules of order when engaged in debate;
- 8.9. Determine, at their discretion, whether a motion is in order.
- 8.10. Exclude from debate or expel from any meeting any person who is guilty of improper conduct at the meeting;
- 8.11. Call on the Warden, or in the absence of the Warden on another member, to fill their place until resuming the chair, if the presiding officer desires to leave the chair for the purpose of taking part in the debate or otherwise;
- 8.12. Ensure that the decisions of Council/ABCC established by Council conform with the laws governing the activities of Council/ABCC.
- 8.13. Adjourn the meeting when business is concluded;
- 8.14. Adjourn the meeting without question in the case of grave disorder arising in the meeting place

- 8.15. Ensure effective communication between ABCCs and Council by following the requirements for reporting and communication as per the MOCR Committees Policy, section 18.

9. Council / ABCCs Meetings

Except as provided in this policy and the MGA, all meetings shall be open to the public.

9.1. Organizational Meeting of Council

- a) The organizational meeting of Council shall be held on the first available date no earlier than 10 days and not later than 4 weeks after ordinary polling day to administer the Oath of Office as per section 148 of the Municipal Elections Act (MEA) and signing of the MOCR Statement of Commitment to Councillor's Code of Conduct.
- b) The Clerk, under the direction of the CAO, shall be responsible for the content and format of the agenda as well as all arrangements for the proceedings.
- c) The Clerk shall serve as presiding officer for the organizational meeting until the Warden has been elected, at which time the Warden will assume the chair of the meeting, as per section 12 (4) of the MGA.
- d) Seating arrangements for Councillors will be determined at the organizational meeting and will be then set for future meetings of Council.
- e) The business of Council at the organizational meeting shall be limited to the calling of the meeting, the administration of the Oath, the introduction of new Councillors, the election of Warden and Deputy Warden, and the appointments to ABCCs established by Council and external ABCC's appointments, and such other business as required by the MGA.

9.2. Regular Council and Committee of the Whole Meetings

- a) Regular Council and Committee of the Whole meetings will be held according to the schedule set annually by Council and at a time determined by Council.
- b) Any scheduled meetings of Council that fall on a holiday may be held on the next regular business day.
- c) During July and August, Regular Council or Committee of the Whole meetings will not be scheduled. However, Council may convene special meetings during this period as may be necessary or expedient for the dispatch of business.
- d) Unless otherwise decided by Council, all meetings of Regular Council and Committee of the Whole shall be held in Council chambers, located at the Municipal Administration Building, 2357 Hwy 206, Arichat NS.
- e) Regular Council and the Committee of the Whole will be recorded and/or livestreamed. If technical difficulties prevent the livestream from being enabled or make livestreaming impossible, the meeting will proceed as scheduled.
- f) Council may by resolution alter the time, day, and place of any meeting previously approved under section 9.2 (a).

9.3. Other Meetings of Council

- a) In addition to Regular Council meetings, Council may hold such other meetings as may be necessary or expedient for the dispatch of business at such time and place as the Council determines, if each member of Council is notified at least three days in advance and the clerk gives at least two days public notice of the meeting.

9.4. **Emergency** Meetings

- a) Where the Warden determines that there is an emergency, Council may meet without notice or with such notice as is possible in the circumstances.

9.5. ABCCs Established by Council Meetings

- a) ABCCs established by Council may hold meetings in Council chambers or other locations in the MOCR, according to the schedule and at a time determined in their respective Terms of Reference, By-Law, or other governing documents.

9.6. In Camera Meetings

- a) Regular Council and ABCCs established by Council meetings, or portions thereof, may be held in camera only in accordance with section 22 of the Municipal Government Act, as may be amended from time to time. The only matters to be considered in an “in camera session” are as follows:
 - i. Issues related to the proposed or pending acquisition, sale, lease, or security of municipal property; or
 - ii. Setting a minimum price to be accepted by the municipality at a tax sale; or
 - iii. Personnel matters; or
 - iv. Labour relations; or
 - v. Contract negotiations; or
 - vi. Issues related to public security; or
 - vii. Litigation or potential litigation affecting the municipality; or
 - viii. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- a) Prior to moving into an in camera session and when reverting to a regular session for any of the reasons outlined in section 9.6 (a), a motion must be passed. This motion should specify that the Council/ABCC is convening into an in-camera session, outline the general nature of the matter to be discussed, and indicate the return to the regular session upon concluding the in camera portion of the meeting.



- b) A vote may occur during an in-camera session, provided the reason for being in camera is sanctioned under section 9.6 (a), and the vote is for a procedural matter or for giving direction to staff or solicitors of the municipality.
- c) Recommendations to Council from an in-camera session will be dealt with immediately following the in camera session.
- d) Staff reports presented during an in-camera session and minutes of an in-camera session will be maintained by the clerk and considered confidential unless Council determines that the information, or part thereof, shall be made available to the public.

10. Notifications of Meetings & Cancellations

- 10.1. Notifications for meetings or cancellations will adhere to the guidelines outlined in the MOCR Strategic Communications Plan.
- 10.2. The clerk shall call a meeting of the Council when required to do so by the Warden or upon presentation of a written request signed by a majority of the Councillors. When calling a meeting in this manner, the clerk shall give at least two days public notice of the meeting, as per section 19 (4) of the MGA.
- 10.3. The Warden/presiding officer and CAO jointly may decide to cancel a Council/ABCC meeting due to inclement weather or other circumstances, which in their judgement appears appropriate.
- 10.4. Any decision to cancel a meeting of Council that was called by a petition of a majority of Councillors shall only be upheld by a two-thirds (2/3) majority decision of Councillors.
- 10.5. As per section 19(7)(a)(b) of the MGA, a meeting of Council is not an illegal or invalid meeting by reason only of a failure to give notice or meeting elsewhere than provided in this policy or a notice of meeting.

11. Call to Order/Quorum

- 11.1. As soon as a quorum is present after the scheduled start time of the meeting, the presiding officer shall call the meeting to order. **The opening acknowledgment, as outlined in Section 12, may be conducted at the discretion of the presiding officer.**



- 11.2. If a quorum for a meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the presiding officer shall indicate that no quorum is present, and the meeting shall stand adjourned until the next meeting called in accordance with the provisions of this policy.
- 11.3. In the case where quorum is present, and the Warden or Chairperson has not arrived within fifteen (15) minutes after the time appointed, the Deputy Warden or the vice chairperson, shall assume the chair and call the meeting to order. The Deputy Warden or Vice Chairperson shall preside until the arrival of the Warden or Chairperson.
- 11.4. In the event the Deputy Warden or Vice Chairperson is not present, then the members shall nominate and elect a presiding officer from among the members present who shall preside until the arrival of the Warden or the regular Chairperson.
- 11.5. Members are encouraged to inform the clerk when a member is aware that they will be absent from any meeting.
- 11.6. Where the number of members who are unable to participate in a meeting by reason of the provisions of the Municipal Conflict of Interest Act, such that at that meeting the remaining members are insufficient to constitute quorum, the remaining members shall be deemed to constitute a quorum, provided the number is not less than two. A member who has declared a conflict of interest and leaves the meeting shall not be counted in determining the quorum.
- 11.7. If during the course of a meeting a quorum is lost due to vacating members, the presiding officer shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this policy. Should the meeting be adjourned, the clerk shall record in the minutes the names of the remaining members.



12. Land Acknowledgement Statement

~~12.1. The land acknowledgment statement shall be used in all meetings of Council and Council-established ABCCs.~~

~~12.2. After calling the meeting to order, the presiding officer shall recite the land acknowledgment statement followed by a moment of silence.~~

~~12.3. The MOCR land acknowledgment statement is as follows:~~

- ~~a) “We would like to begin by acknowledging that the Municipality of the County of Richmond is located in Mi’kma’ki, the ancestral and unceded territory of the Mi’kmaw. We are all Treaty people. We also acknowledge the histories, contributions, and legacies of the Acadian and African Nova Scotian people and communities who have been here for over 400 years.”~~
- ~~b) The land acknowledgment statement may be amended as necessary by Council resolution.~~

12. Opening Acknowledgement

12.1 After calling a meeting to order:

- a) The presiding officer may acknowledge matters of significance to the County and/or undertake a moment of silent contemplation.**
- b) Proceed with the order of business in which it stands on the agenda.**

13. Order of Business and Agenda

13.1. The business of Council and ABCCs shall be taken up in the order in which it stands on the agenda unless otherwise decided by Council or the ABCC.

13.2. An item of business not listed on the agenda may not be introduced at a meeting unless authorized by a unanimous motion from the Council or the ABCC.

13.3. Agendas will be prepared by the Clerk or designate, under the direction of the CAO in accordance with the Warden for Council or the presiding officer for ABCCs.

13.4. Agendas and corresponding meeting packages will be disseminated as per the MOCR Strategic Communications Plan.

14. Additions to the Agenda

- 14.1. Additions to the Regular Council and Committee of the Whole agenda must be submitted to the Office of the CAO by noon on the Thursday before the meeting. For all other meetings, submissions are due by noon two days prior.
- 14.2. Agenda items that require backup information can be in the form of a staff briefing note, memo, or other relevant documentation.
- 14.3. Requests for additional items to the agenda following its publication will not be considered, except under the circumstances outlined below:
- a) Submission as a late item using the Item Added to the Agenda Form, as detailed in Appendix C, to the Clerk promptly for dissemination to Council or ABCC and the public.
 - b) Submission as a late item using the Item Added to the Agenda Form, as detailed in Appendix C, presented from the floor of the meeting. A unanimous motion from Council or ABCC is required for acceptance. The late item will be posted to the public the following day.

15. Agenda Format

- 15.1. Appendix “A”, Agenda Format, forms part of this policy and shall list the order of business in the format most commonly used in MOCR ABCCs and Council.

16. Meeting Minutes

- 16.1. The Clerk shall verify and maintain the minutes of all Council and Council established ABCC meetings.
- 16.2. All minutes recorded for Council and Council established ABCCs shall record:
- a) The meeting type, place, date, and time of the meeting.
 - b) The name of all members and staff in attendance, and any regrets.
 - c) The name of guest presenters and those who approach Council during question period.
 - d) The time of late arrival or early departure of members.



- e) The name of the member who declares a conflict of interest along with the reasoning.
- f) The resolutions, substantive decisions made, and actions taken.
- g) The results of votes on all motions.
- h) The time the meeting went in and out of an in-camera session.
- i) The in camera portion of the minutes shall record the topic of discussion only.

16.3. The unapproved minutes shall be presented for the next scheduled Council or ABCC meeting for a motion of approval.

16.4. In order to move or second the approval of minutes as presented or as corrected, the member must have been in attendance at that meeting where the minutes are being approved.

16.5. The Warden and Clerk (or designate) shall sign minutes of Council, the presiding officer and Clerk (or designate) shall sign the minutes of ABCCs after approval.

17. Governance by Bylaws, Policy, and Resolutions

17.1. Council shall govern by Bylaw in all matters required by the MGA.

17.2. Council shall govern by Policy in all issues meeting the definition of a policy matter. When in doubt, it is preferable to govern by policy rather than resolution.

17.3. Council shall govern by resolution only when a by-law or policy is not applicable and in particular, only when the motion does not involve principles and/or processes that must be used in future staff or Council decisions.

18. Disclosure of Conflict Interest

18.1. It is the responsibility of each member to identify and disclose any conflict of interest (as defined by the Municipal Conflict of Interest Act) in any item or matter before the Council or Council established ABCC.

18.2. Where a member, either on their own behalf or while acting for, by, with and/or through another, has any conflict of interest, direct or indirect, in any matter and is present at a meeting of the Council or standing committee at which, the matter is the subject of consideration, the member shall:



- a) Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof.
 - b) Not participate for the duration of the discussion about the matter.
 - c) Not take part in the discussion of or vote on any question with respect to the matter.
 - d) Not attempt in any way before, during and/or after the meeting to influence the voting on any such question.
- 18.3. Where a meeting is not open to the public, as per section 9.6, in addition to complying with the requirements, the member shall forthwith immediately leave the meeting for the ~~part~~ portion of the meeting during which the matter is under consideration.
- 18.4. Where the interest of a member has not been disclosed by reason of his absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting of Council or Council established ABCC, as the case may be, attended by the member after the particular meeting as per the Municipal Conflict of Interest Act.

19. Speaking/Rules of Debate

- 19.1. A member shall not speak until the presiding officer has recognized them by indicating it is their turn to speak.
- 19.2. When a member has been recognized by the presiding officer as having the floor, the member shall direct their question or comment to the presiding officer and speak only to the matter under consideration. The presiding officer shall recognize the member who wishes to speak in the order that they indicate their desire to address Council or ABCC.
- 19.3. When a member is speaking, no other members shall interrupt, except to raise a point of personal privilege or point of order.
- 19.4. Any member may require the question or motion under discussion to be read or displayed at any time during the debate but not so as to interrupt a member while speaking.



- 19.5. **At the discretion of the presiding officer,** a member shall not speak more than once on the question until all other members have had the opportunity to speak to the matter for the first time, except for the purpose of providing an explanation of a material part of their speech in which may have been misunderstood. New information is not to be introduced. No member shall speak to the same matter more than four times without the leave of Council or ABCC.
- 19.6. **At the discretion of the presiding officer,** a member shall not speak to the same question, or in reply, for longer than 10 minutes without the leave of Council or ABCC.
- 19.7. A member shall be restricted to asking questions related directly to the matter under discussion.
- 19.8. After the question has been put by the presiding officer, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- 19.9. To participate in debate, the presiding officer shall relinquish the position to the vice presiding officer until the matter has been disposed of. Relinquishing such position ensures impartiality of the presiding officer position.

20. Motions

- 20.1. The presiding officer may not put forth a motion.
- 20.2. A motion must be seconded and then repeated by the presiding officer before being voted upon.
- 20.3. After a motion has been moved, it is the property of Council or the ABCC and may not be withdrawn without the consent of the majority of Council or the ABCC.
- 20.4. Standard Meeting Motions
- a) For the purposes of this policy, the following will be considered “standard” meeting motions:
 - i. To approve the agenda.



- ii. To adopt minutes.
- iii. To recess.
- iv. To adjourn.
- b) The presiding officer may ask if a member of Council or ABCC is willing to move/second a standard meeting motion, in which case any member may respond verbally. The presiding officer will verbally indicate which members have moved and seconded the motion.
- c) In order to streamline meetings, any of the four (4) standard meeting motions may be voted upon by the members by a show of hands or by saying aye/nay.
- d) Motions prepared in a staff report may be moved verbally by referencing the motion and the report.
- e) In Council, the following motions may be introduced without notice and without leave, except as otherwise provided by this policy:
 - i. To suspend the rules of procedure.
 - ii. To table.
 - iii. To postpone definitely (deferral motion with a specified date/meeting).
 - iv. To refer.
 - v. To amend.
 - vi. To postpone indefinitely (deferral motion without specifying a date/meeting).
 - vii. Any other procedural motion.
 - viii. Motions arising from Business from Councillors.
- f) Appendix "B" , Procedural Motions, forms part of this policy and shall describe the form and standard descriptive characteristics of motions commonly used in committees and Council.

21. Voting

- 21.1. The decision of the Council or ABCC on a motion shall be via raised hands or verbal aye/nay.



- 21.2. No vote shall be taken by ballot or by any other method of secret voting, except for the selection of Warden, Deputy Warden.
- 21.3. All members that are qualified to vote shall vote once on each motion, and are not permitted to abstain from voting, except when such member has declared a conflict of interest as per section 21(2)(3) of the MGA.
- 21.4. Except as provided elsewhere in this policy, a motion shall be deemed to have been carried when a majority of the members present, and voting have expressed agreement with the question. Consequently, on a tie vote, a motion is defeated.
- 21.5. The mover and seconder of a motion must be present at the meeting for debate to occur.
- 21.6. A member not in their seat at the call of the vote shall not be entitled to vote.
- 21.7. Each member shall occupy their seat until the result of the vote has been declared.
- 21.8. Voting conducted at public hearings shall be done in accordance with provisions of the MGA.

22. Public Conduct at meetings

- 22.1. Members of the public present in the Council chamber or other meeting location shall maintain order and quiet and shall not address Council or members of the ABCC except with permission by a majority vote of Council or the ABCC.
- 22.2. No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of the meeting.
- 22.3. No person shall bring into the Council chamber or other meeting location cellular telephones or other electronic devices which emit a sound unless such devices are turned off or otherwise set to non-audible.
- 22.4. Recording (audio or video) and taking pictures during meetings are not permitted unless pre-approved by the presiding officer and announced before



the meeting begins.

- 22.5. Members of the media may use electronic devices to record the audio (only) of the proceedings to augment their notetaking, but not for broadcasting.
- 22.6. When invited to address Council, no person shall use indecent, offensive, or insulting language or speak disrespectfully of any member of Council or any employee of the municipality.
- 22.7. Persons invited to address Council or ABCC shall only speak on the subject in debate and shall not speak on any other subject.
- 22.8. Any person, not being a member of Council or ABCC, who contravenes any provision of this section, may be expelled from the meeting by the presiding officer.

23. Presentations to Council

- 23.1. Any persons or groups may be permitted to make presentations to Council provided that the application(s) have been submitted to the Office of the CAO as per MOCR Presentations and Delegations Appearing before the Committee of the Whole or Council Policy.
- 23.2. A group of persons who wish to present to Council a petition on any matter within the jurisdiction may do so in accordance with the MGA.

Related Documents

[Code of Conduct for Elected Municipal Officials
Committees Policy](#)

MOCR Presentations and Delegations to Committee of the Whole or Council Policy
(currently in draft)

[Municipal Government Act](#)

[Municipal Housing Corporation Act](#)

[Municipal Conflict of Interest Act](#)

[Policy on Confidentiality and Non-Disclosure](#)

[Strategic Communications Plan](#)

Appendix

Appendix A – Agenda Format

Appendix B – Procedural Motions

Appendix C – Item Added to the Agenda Form



Policy Review/Amendment Schedule

Date of Review	Approved/Amended by Council

DRAFT

APPENDIX A – AGENDA FORMAT

1. Organizational Meeting

- a) Call to Order
- b) Opening Acknowledgement (optional, see Section 12 of this policy)
- c) Welcome, Introduction of newly elected officials and those attending
- d) Election of Warden
- e) Election Deputy Warden
- f) Warden’s Closing remarks
- g) Adjournment

2. Council Established ABCCs

- a) Call to Order
- b) In Camera Sessions (if required, reason must be listed as per the MGA)
- a) Opening Acknowledgement (optional, see Section 12 of this policy)
- b) Items added to the Agenda/Approval of the Agenda
- c) Review of Minutes
- d) Agenda items listed in order of precedence
- e) Adjournment

3. Special Meetings

- a) Call to Order
- a) Opening Acknowledgement (optional, see Section 12 of this policy)
- b) Roll Call
- c) In Camera (if required, reason must be listed as per the MGA)
- d) Agenda items listed in order of precedence
- e) Adjournment



4. Committee of the Whole

- a) Call to Order
- b) Opening Acknowledgement (optional, see Section 12 of this policy)
- c) In Camera Sessions (if required, reason must be listed as per the MGA)
- d) Items added to the Agenda/Approval of the Agenda
- e) Review of Minutes
- f) Appeals/Eastern District Planning Commission
- g) Presentations
- h) Notice to be Given
- i) New Business
- j) Review of Warden's Council Report
- k) Member of Council Items (Warden followed by Councillors)
- l) CAO, Review of Administration Operations Report
- m) Community Acknowledgement
- n) Correspondence
 - i. Action Required
 - ii. For Information Purposes
- o) Unfinished Business
- p) Review of Cheques Issued
- q) Review of Action Items
- r) Items Added to the Agenda
- s) Question Period (15 Minutes, not restricted to items on the agenda)
- t) Adjournment
- u) Question Period Details



5. Regular Council

- a) Call to Order
- b) In Camera Sessions (if required, reason must be listed as per the MGA)
- c) Opening Acknowledgement (optional, see Section 12 of this policy)
- d) O'Canada
- e) Roll Call
- f) Items Added/Approval of the Agenda
- g) Review of the Minutes
- h) Question Period (Restricted to items on the Committee of the Whole Report)
- i) Committee Reports
- j) Motion to Adopt (Policies)
- k) By-Law (First Reading Approval, Second Reading Approval)
- l) New Business
- m) Members of Council Items (Warden followed by Councillors)
- n) CAO Items
- o) Correspondence
- i. Action Required
- ii. For Information Purposes
- p) Unfinished Business
- q) Review of Action Items
- r) Items Added to the Agenda
- s) Question Period (Restricted to the remainder of the agenda following the Committee Reports.)
- t) Adjournment
- u) Question Period Details

6. Question Period Details

- a) The following question period details shall be listed on the agenda for the Committee of the Whole as follows:

Question Period – Phone In: (902) 226-9885

Any member of the public may ask a question on any item. A maximum of fifteen (15) minutes is set aside for Question Period. Anyone wishing to ask a question either in person or by phone must identify who they are prior to asking the question.

Comments must be phrased in the form of a question. Council will hear the question and will answer if appropriate.

No person speaking during Question Period shall:

- Speak disrespectfully
- Use offensive words
- Disobey the rules of order or a decision of the Chair

Live Streaming

All Committee of the Whole and Regular Council Meetings will be live streamed on the Municipality of the County of Richmond (MOCR) YouTube channel. The link for the meeting can be found on the [MOCR Facebook Page](#).

- b) The following question details shall be listed on the agenda for Regular Council as follows:

Question Period – Phone In: (902) 226-9885

Any member of the public may ask a question on any item listed on the agenda without giving notice. A maximum of ten (10) minutes is set aside for Question Period. Anyone wishing to ask a question either in person or by phone must identify who they are prior to asking the question.

Comments must be phrased in the form of a question. Council will hear the question and will answer if appropriate.

No person speaking during Question Period shall:

- Speak disrespectfully
- Use offensive words
- Disobey the rules of order or a decision of the Chair

Live Streaming

All Committee of the Whole and Regular Council Meetings will be live streamed on the Municipality of the County of Richmond (MOCR) YouTube channel. The link for the meeting can be found on the [MOCR Facebook Page](#).



APPENDIX B - PROCEDURAL MOTIONS

1. Motion to Adjourn

- 1.1. A Motion to adjourn:
 - a) Is always in order except as provided by this policy.
 - b) Is not debatable.
 - c) Is not amendable.
 - d) Is not in order when a member is speaking or during the verification of the vote.
 - e) Is not in order immediately following the affirmative resolution of a motion to close debate; and
 - f) When resulting in the negative, cannot be made again until after some proceedings have been completed by Council.
- 1.2. A motion to adjourn without qualification, if carried, brings a meeting or a session of Council to an end.
- 1.3. A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of Council to continue at such time.

2. Point of Personal Privilege

- 2.1. A member may at any time raise a point of privilege directing attention to a matter that affects the integrity, character, or reputation of an individual, individuals or the entire Council, or the ability of an individual to participate.
- 2.2. A point of privilege shall take precedence over any other matter.
- 2.3. A member shall not be permitted to enter into any debate or introduce any motion not related to the point of privilege.
- 2.4. The chair shall decide upon the point of privilege and advise the members of the decision.
- 2.5. Unless a member immediately appeals the chair's decision, the decision of the chair shall be final.



- 2.6. If the decision of the chair is appealed, the question “Shall the ruling of the chair be upheld?” shall be called without debate, and its results shall be final, based on a majority vote.
- 2.7. When the matter has been determined to be a point of privilege, the member shall be afforded an opportunity to propose a motion in relation to that point of privilege.

3. Motion to Table

- 3.1. A motion to table:
 - a) Is not debatable.
 - b) Is not amendable.
- 3.2. A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.
- 3.3. The matter tabled shall not be considered again by Council until a motion has been made to take up the tabled matter at the same or subsequent meetings of Council.
- 3.4. A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

4. Motion to Close Debate

- 4.1. A motion to close debate:
 - a) Is not debatable.
 - b) Is not amendable.
 - c) Cannot be moved with respect to the main motion when there is an amendment under consideration.
 - d) Should be moved by a member who has not already debated the question.
 - e) Requires a two-thirds (2/3) majority vote of members present for passage.



- f) When resolved in the affirmative, the question is to be put forward without debate or amendment.
- g) Is not permitted in committee.

5. Motion to Postpone Definitely

5.1. A motion to postpone definitely (to a fixed time or date):

- a) Is debatable, but only as to whether a matter should be postponed and to what time.
- b) Is amendable as to time and/or date.
- c) Requires a majority vote of members present to pass.
- d) Shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

6. Motion to Refer (To Committee or Staff)

6.1. A motion to refer:

- a) Is debatable.
- b) Is amendable.
- c) Shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

7. Motion to Amend

7.1. A motion to amend:

- a) Is debatable.
- b) Is amendable.
- c) Shall be relevant and not contrary to the principle of the report or motion under consideration.
- d) May propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue, which was the subject matter of the question.



7.2. Only one motion to amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question.

8. Motion to Postpone Indefinitely

8.1. A motion to postpone indefinitely:

- a) Is debatable, and debate may go into the merits of the main question, which effectively stops a motion and avoids a direct vote on the question.
- b) Is not amendable.
- c) Requires a majority vote.

9. Point of Order

9.1. The presiding officer shall decide all points of order. When a member wishes to raise a point of order, the member shall ask the presiding officer for a “point of order” and after permission is granted, the member shall state the point of order to the presiding officer, after which the presiding officer shall decide on the point of order. Thereafter, the member shall only address the presiding officer for the purpose of appealing the decision to Council or committee. If the member does not appeal, the decision of the presiding officer shall be final. If the member appeals to Council or committee as the case may be, Council/committee shall decide the question without debate and the decision shall be final.

10. Motion to Suspend the Rules (Waive the Rules)

10.1. A motion to suspend the rules:

- a) Is not debatable.
- b) Is not amendable.
- c) Requires a two-thirds (2/3) majority vote to carry.
- d) Takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.



11. Motion to Reconsider

11.1. A motion to reconsider:

- a) Is debatable and such debate should be confined to reasons for or against recommendation.
- b) Is amendable.
- c) Requires a majority vote, regardless of the vote necessary to adopt the motion to be reconsidered.

11.2. A motion to reconsider may be made only by a member who voted on the prevailing side in the original vote.

11.3. No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

11.4. No discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.

11.5. The mover of a motion to reconsider shall specify whether the reconsideration will address the entire original motion or part of the original motion.

11.6. A motion to reconsider can only be moved to consider reversing a decision made previously at the same meeting.

12. Motion to Amend/Rescind a Previous Decision

12.1. A motion to amend/rescind a previous decision:

- a) Is debatable and such debate should be confined to reasons for or against recommendation.
- b) Is amendable, only as to the portion of the decision to be amended.
- c) A motion to amend/rescind a previous decision requires at least two-thirds of the members present and voting. If the motion is decided in the negative, it cannot be brought forward again during a period of twelve months following the date on which the question was decided.

12.2. No discussion of the main question by any person shall be allowed unless the motion to amend/rescind a previous decision has first been adopted.



- 12.3. If a question is re-visited, it is re-visited in its entirety, unless the re-visiting motion specifies otherwise.
- 12.4. If the question is re-visited, all previous decisions remain in force unless Council decides otherwise.

DRAFT



Item to be added to the Agenda:

Late Agenda Item Submission

Submitted to Municipal Clerk promptly for dissemination to Council or ABCC and the public.

Request from the Floor Submission

A unanimous motion from Council or ABCC is required for acceptance. The late agenda item will be posted to the public the following day.

1. Meeting & Date

- Regular Council Meeting _____
- Committee of the Whole Meeting _____
- Other Meeting _____

2. Item:

Background: Define/Explain

Outcome Requested:

3. Motion for consideration:

Submitted by:

Date:

Committee Terms of Reference

Working List 2024

	Name	Notes		Next Action
1	Fences Arbitration Committee	New	Approved September 2024	
2	Municipal Emergency Management Advisory Committee (MEMAC)	New	Approved September 2024	
3	Audit Committee	Amended	Approved September 2024	
4	Planning Advisory/Heritage Committee	Amended	Approved September 2024	
5	By-Law/Policy Committee	Amended	Approved September 2024	
6	RCMP Advisory Board	Amended	Approved September 2024	
7	Municipal Emergency Management Planning Committee	New		Draft in progress
8	Accessibility Advisory Committee	To be amended.		Draft in progress
9	Recreation Advisory Committee	To be amended.	New formatting, reviewed and approved by the Recreation Advisory Committee	Ready for review & approval
10	Fire Protection Services Committee	To be amended.		Draft in progress



1. Purpose

- 1.1.** The Committee will advise Municipal Council on all matters pertinent to recreation programs for consideration by Council.

2. Mandate

- 2.1.** The Committee will review and facilitate recommendations of recreation programs, events, and initiatives identified by Council, the Recreation Department, and the Committee itself. The ultimate goal is to enhance the quality of life of Richmond County residents through a wide range of innovative, inclusive, and accessible recreation and active living programs and events.

3. Role and Responsibilities

- 3.1.** The Committee will provide advice on recreation and active living programs that will benefit the residents.
- 3.2.** The Committee will review community-based recreation inventory to identify any service gaps.
- 3.3.** The Committee will explore ways to enhance recreation services and programs in all of Richmond County.
- 3.4.** The Advisory Committee is to review the Terms of Reference annually.

4. Composition and Terms of Appointment

- 4.1.** The Recreation Advisory Committee will be comprised of 12 members:
 - Eight (8) community representatives
 - One (1) member of the current Council
 - Three (3) resource members of the Community Development and Recreation Department

- 4.2.** Council appointments shall be from the beginning of their term for up to two years and renewable for an additional two years following a committee review by Council. Members at large appointment shall be for four years with the first year beginning one year after the municipal election cycle.
- 4.3.** The Committee will receive administrative support from the Richmond County Community Development and Recreation Department, including the recording of minutes, meeting preparation, and communicating Committee recommendations to Richmond County Municipal Council.
- 4.4.** The Co-Chairs shall be elected by the Committee for a one (1) year term, with the provision that they will be eligible for re-election after the completion of the term.
- 4.5.** If a Committee member is absent for three consecutive meetings without a justifiable cause (in discussion with the co-chairs), they shall be deemed to have forfeited their membership.
- 4.6.** Voting Members (9):
 - (8) community representatives
 - (1) Council member
- 4.7.** Non-voting members (3):
 - One (1) Director of Community Development and Recreation
 - One (1) Active Living/Community Engagement Coordinator
 - One (1) Departmental Administrator/Customer Service

5. Meetings

- 5.1.** Meeting procedures shall follow the Council Procedural Policy.
- 5.2.** The Advisory Committee will meet a minimum of six (6) times per year.
- 5.3.** A quorum for meeting purposes will be the majority of voting members.
- 5.4.** An agenda will be prepared and distributed to members prior to meetings as per the Strategic Communications Plan. Members will review the agenda and supporting information to be prepared to fully participate in and be knowledgeable on all items to be discussed at the meeting.

6. Authority and Accountability

- 6.1** The Recreation Advisory Committee is a committee formally approved by Council and is provided with the authority to make recommendations to Council. Final decisions related to the work of the Committee rests with Municipal Council.
- 6.2** At least quarterly, progress reports shall be presented to Council at Committee of the Whole meetings by a designated member (member of Council, staff, and/ or citizen appointee). The timing of the quarterly reports will be influenced as appropriate by the meeting frequency/activity of the ABCC. If a committee meets at least once, it shall be included in the next quarter reports.

7. Related Documentation

- [Committees Policy](#)
- Council Procedural Policy (Currently in draft)
- [Strategic Communications Plan](#)
- [Active Living and Recreation Plan](#)
- [Accessibility Plan](#)
- [Municipal Government Act](#)

8. Version Log

Version Number	Amendment Description	Council Approval	Date
1	New		

9. Certification

I, Shelley David, Municipal Clerk for the Municipality of the County of Richmond, hereby certify that these Terms of Reference were duly approved.

Shelley David
Municipal Clerk



Title: Street Light Policy

Approved by Council

Date:

Policy Review Notification

Date:

Policy Review

Date:

I certify this to be a true copy of the **Street Light Policy** as adopted by the Municipal Council of Richmond County at a Public Meeting held _____.

Shelley David
Municipal Clerk

1. Purpose

The purpose of the policy is to establish a procedure for Council to deliver the service of streetlighting, and to provide guidance to staff on how this service will be delivered.

2. Scope

This policy applies to requests for street lighting by members of Council for the streetlight program or requests from residents.

3. Roles and Responsibilities

3.1. Municipal Council will:

- a) Review, amend, and adopt the Street Light Policy.
- b) Support the Chief Administrative Officer (CAO) and staff in policy implementation.

3.2. The CAO will:

- a) Administer and implement the Street Light Policy.
- b) Support staff in the implementation of the policy.

3.3. Municipal staff will:

- a) Adhere to the policy procedures as outlined in this policy.



Policy

4. Policy Statement

- 4.1. It shall be the policy of the Municipality of the County of Richmond that the allocation of streetlights will be carried out on an annual basis, for each district, and will occur early in the year to ensure that the funding required is authorized by Council and included in the municipal budget, and also to permit sufficient time for Nova Scotia Power to order the materials required.

5. Street Light Program

- 5.1. The street light program will include installation/removal/relocation of streetlights and any other related costs.
- 5.2. There will be no carry-over of streetlights from year to year.
- 5.3. Streetlights, as the name implies, are for illuminating streets. Municipal lights must be erected in such a manner as to illuminate a public road, private road (with limitations) subject to the following exception:
- a) Lights may be approved for purposes other than illuminating a public road, subject to approval from the member of Council, for emergency/ safety purposes (such as Volunteer Fire Departments, community mailboxes, non-profit organizations, etc.), under the condition that the lights may only be installed on Municipal property or within a public right of way.
 - b) Private roads require a minimum of four (4) of the following:
 - i. Residentially taxed properties with a dwelling or structure; and/or
 - ii. Commercially taxed properties with a structure.
- 5.4. The maximum lights per District per year is five (5).
- 5.5. Each member of Council will be responsible for identifying the street light program for the current year, and presenting their program to Council by April 15, each year, for Council approval, and inclusion in the municipal budget.
- 5.6. The Director of Public Works will be responsible for assisting the member of Council in determining the cost of the annual street light program requested and including these costs in the Department budget.



5.7. The Director of Public Works will also be responsible for purchasing street light services from Nova Scotia Power, following approval by Council, and working with the member of Council to implement the annual street light program approved by Council.

6. Request Process

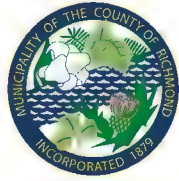
- 6.1. The member of Council identifies the lighting requirement and/or a resident may approach the municipality with a request for lighting.
- 6.2. The lighting request is forwarded to the Director of Public Works via email.
- 6.3. The Director of Public Works shall consult with the member of Council regarding the lighting request.
- 6.4. Once the service request has been assessed and approved by the Director of Public Works, a work order will be issued, and the originator of the request will be notified.

Repeal and Replace

The previous version, and all other versions of the Street Light Policy, are repealed and replaced by this Policy.

Policy Review/Amendment Schedule

Date of Review	Approved/Amended by Council
January 21, 2019	January 28, 2019
June 18, 2024, Amended the following: formatting, replaced the word Councillor with members of Council throughout, 5.3 (b) replaced the word permanent residence with residentially and/or commercially taxed properties, 6.2 removed the words phone and mail.	



Title Presentations and Delegations Appearing before the Committee of the Whole or Municipal Council

Approved by Council
Policy Review Notification
Policy Review

Date:
Date:
Date:

I certify this to be a true copy of the **Presentations and Delegations Appearing before the Committee of the Whole or Municipal Council Policy** as adopted by the Municipal Council of Richmond County at a Public Meeting held _____.

Shelley David
Municipal Clerk

1. Purpose

The purpose of this policy is to establish procedures for presentations and delegations appearing before the Committee of the Whole and/or Council.

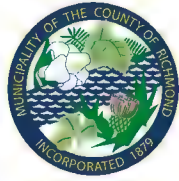
2. Scope

This policy covers presentations from local or regional community organizations, professional associations, not-for-profit organizations, federal or provincial government agencies, municipal partners, and individual members of the public requesting delegations.

3. Roles and Responsibilities

3.1. Municipal Council will be responsible for:

- a) Reviewing and identifying necessary revisions to the Presentations and Delegations Appearing before the Committee of the Whole or Municipal Council Policy in collaboration with the Chief Administrative Officer (CAO).



3.2. The CAO will be responsible for:

- a) Administering and implementing the Presentations and Delegations Appearing before the Committee of the Whole or Municipal Council Policy.
- b) Identifying necessary revisions to this policy in collaboration with Council.
- c) In collaboration with the Warden, reviewing, approving, and determining which meeting the presentation shall be made.

3.3. The Warden will be responsible for:

- a) in collaboration with the CAO, reviewing, approving, and determining the meeting in which the presentation shall be made.

3.4. The Municipal Clerk or designate is responsible for:

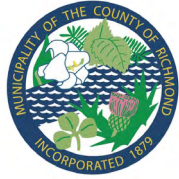
- a) Receiving requests for presentations and delegations.
- b) Forwarding requests to the CAO and Warden for review and approval.
- c) Upon approval, add the presentations or delegation to the appropriate meeting agenda.
- d) Informing presenters and delegates the process for presenting, as per section 8.

Policy

4. Policy Statement

4.1. It shall be the policy of the Municipality of the County of Richmond to permit presentations and delegations to be made to Council or at the Committee of the Whole, related to issues and topics relevant to Municipal Council, whether the presentation is in support or opposition to positions adopted by Richmond Municipal Council.

4.2. Presentations may also be requested to appear at the Committee of the Whole or Council meetings by Council invitation.



5. Policy

5.1. The Committee of the Whole agenda is limited to two (2) presentations per meeting. Exceptions may arise if deemed appropriate by Council.

5.2. Delegations and petitions should be received at Council; however, they will be accommodated at Committee of the Whole meetings, if there is sufficient time on the agenda to properly address the concern of the delegation.

5.3. Matters in which the Municipality of Richmond has entered into legal proceedings, matters related to personnel issues, by-laws for which a public hearing has been scheduled or held, and for matters where there has already been an opportunity for public input will not be further entertained by Municipal Council.

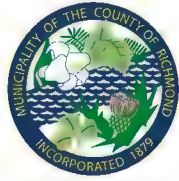
6. Presentation Request and Process

6.1 Presenters are required to submit written background material, including a copy of the presentation to the office of the CAO, not less than seven (7) working days prior to the meeting, at which the presenter wishes to appear.

6.2 The CAO and Warden shall review each presentation request, and if either or both have concerns regarding the appropriateness of the presentation content, then the presentation will be referred to the Committee of the Whole for a decision on appropriateness.

6.3 Council has the right to refuse a presentation.

6.1. The office of the CAO will respond to presentation requests not less than two (2) working days before the meeting. If the Warden and CAO agree that the presentation is appropriate, the office of the CAO shall advise the presenter of the location, date, and time of the meeting.



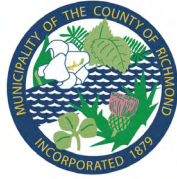
- 6.2. The content and form of presentations should be designed to meet any or all of the following goals:
- i. updating Council on local community initiatives, projects, budgets, or operations;
 - ii. raising Council's awareness and/or support of new community-based organizations or agencies;
 - iii. celebrating achievements of volunteer-based agencies or not-for-profits which has social, cultural, economic, or environmental well-being in their mandate.

7. Delegation Request and Process

- 7.1. For members of the public requesting a delegation regarding a complaint/issue, written submissions must be provided to the office of the CAO, not less than seven (7) working days prior to the meeting.
- 7.2. The written submission must include detailed information regarding the complaint/issue.
- 7.3. The submission will be reviewed, and if deemed appropriate by the CAO and Warden, will be placed on the agenda as correspondence action required.
- 7.4. If further information is required, a delegation will be scheduled for the next Council meeting, and the office of the CAO will advise the delegate of the location, date, and time of the meeting.

8. Presenting

- 8.1 Presenters are encouraged to have only one speaker, who will be limited to a 15 minute presentation. Presentations may have more than one speaker, but collectively, speakers are limited to the 15 minute time period.
- 8.2 Questions from members of Council may follow the presentation.



- 8.3 A resolution shall not be put forth on the issue of the presentation, at the Council Meeting at which it is received. A resolution may be put forth at the next Council Meeting. If urgency dictates an early decision, Council will require a two-thirds vote of Council to deal with the issue.
- 8.4 The Chair will acknowledge and thank the presenter.

Repeal and Replace

The Delegation Appearing before Municipal Council Policy and the Delegation Appearing before Committee of the Whole Policy are repealed and replaced with this policy.

Policy Review/Amendment Schedule

This Policy was last reviewed:

Date of Review	Formally advertised and amended by Council
New	



DOG CONTROL BY-LAW – BY-LAW #13

1. TITLE AND PURPOSE

- 1.1. This By-Law shall be known and may be cited as the "Dog Control By-Law" and is enacted to provide for orderly control of dogs in the County of Richmond.

2. DEFINITIONS

- 2.1. **"Attack"** means to injure, scratch or Bite, or to Threaten or give the impression of threatening, or an assault resulting in real or perceived injury to another person or Animal.
- 2.2. **"Bite"** means wound, pierce, or penetration of the skin by a tooth or teeth.
- 2.3. **"Canine Madness"** means a Dog exhibiting conditions of insanity or rage.
- 2.4. **"Dog"** means any Dog, male or female, of any age, or any canine Animal that is the result of the breeding of a dog and any other canine Animal.
- 2.5. **"Dog Control Officer"** means any person(s) authorized by the Municipality of the County of Richmond to enforce this by-law and all its provisions and approved to enforce this by-law under the Police Act and to issue Summary Offence Tickets pursuant to this by-law and the Summary Proceedings Act.
- 2.6. **"Emergency"** means a present or imminent event where a Constable, Peace Officer or the Municipality believes immediate action must be undertaken to protect the health, safety or welfare of people and/or Animals.
- 2.7. **"Fierce or Dangerous"** means any Dog:
- ~~any dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or persons; or~~
 - ~~any dog which has bitten another domestic animal or person without provocation;~~
 - ~~a restricted dog as defined in this By-law which is in a public place and not wearing a muzzle.~~
 - ~~a restricted dog as defined in this By-law which is in a public place and not under the effective control of an adult person by means of leash or harness.~~



- a) that, in the absence of a Mitigating Factor as defined herein,
 - i) Attacks, or injures a person;
 - ii) Attacks or injures an Animal; or
 - iii) when either unmuzzled or unleashed, 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.
- b) that Attacks or demonstrates a propensity, tendency or disposition to Attack a person or Animal either on public or private property;
- c) that has caused injury to or otherwise endangered the safety of a person or Animal;
- d) that Threatens any person or domestic Animal;
- e) that is owned or harboured in whole or in part for the purpose of Dog fighting, or is trained for Dog fighting;
- f) that is a restricted dog as defined in this by-law which is in a public place and not under the effective control of an adult person by means of leash or harness.

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 behavior acting in defense to an Attack from a person or Animal or acting in defense of its young or is a professionally trained guard Dog for law enforcement or guard duties.

2.8. “Holiday” means a day on which normally scheduled work is suspended by law or Municipal policy.

2.9. “Kennel” means an establishment for the breeding or boarding of Dogs as a commercial service, or for sport or exhibition purposes.

2.10. “Leash” means a device used by a person to restrict movement of an Animal which is adequate for the purpose.

2.11. “License” means a License/Tag/registration issued pursuant to this By-Law.

2.12. “Mitigating Factor” means a circumstance which excuses the aggressive behavior or actions of a Dog where:

- a) the Dog, at the time of the aggressive behaviour, Attacked or injured any trespasser on property occupied by its Owner;



- b) the Dog, immediately prior to the aggressive behaviour, was being abused or tormented by the person Attacked or injured;
- c) the Dog was acting in defense of itself or a person;
- d) the Municipality determines there is another circumstance that excuses the aggressive behavior of a Dog.

2.13. “Municipal Kennel” means such premises and facilities designated by the Municipality as a Dog Kennel for the keeping and disposition of impounded Animals.

2.14. “Muzzle” means a humane covering device of sufficient strength placed over a Dog’s mouth to prevent it from biting.

2.15. “Noise” means an unwanted sound or activity that unreasonably disturbs the quiet, peace, rest, enjoyment, comfort of convenience of a neighbourhood of the Municipality or a part thereof.

2.16. “Off-Leash Area” means a marked location that has been designated by the Municipality as an area where Owners can allow Dogs to roam without a leash.

2.17. “Owner” means any person or body corporate:

- a) who is the Licensed Owner of a Dog;
- b) who has legal title to a Dog;
- c) who has possession or custody of a Dog, either temporarily or permanently;
- d) who has care or control of a Dog; or
- e) who harbours a Dog, or allows a Dog to remain on his/her premises.

Where such a person is a minor, “Owner” includes the parent, guardian, or custodian of such a person.

2.18. “Owner of Premises” includes a tenant, occupier, a part Owner, joint Owner, tenant in common or joint tenant of the whole or any part of the land or building, and in the case of the absence or incapacity of the person having title to the land or building, a trustee, personal representative, an agent, a mortgagee in possession, an attorney under a valid Power of Attorney or a person having the care or control of the land or building.

2.19. “Restricted Dog” means a dog belonging to any of the following breeds or which is a hybrid of any of the following breeds:

- a) Rottweiler;



- b) Bull mastiff;
- c) Dobermann pinscher;
- d) American pitbull terrier;
- e) Staffordshire bull terrier; and
- f) Pitbull terrier.

2.20. “Running at Large” means

- a) a Dog is off the property owned or occupied by the Dog’s Owner and is not under control by a Leash or harness; or
- b) a Dog is on the property owned or occupied by the Dog’s Owner but is tethered on a tether of sufficient length to permit the Dog to leave that property.

Any Dog that is off the property of its Owner without being under the apparent restraint or control of some person shall be deemed to be Running at Large for the purpose of this By-Law. In all areas of the Municipality, the Owner of a Dog shall, while the Dog is off the property occupied by the Owner, keep the Dog under control by means of a harness or Leash. The Dog shall be deemed to be Running at Large where the Owner fails to use such apparatus.

Notwithstanding this definition, Dogs participating in a designated off-Leash area are not considered to be ‘Running at Large’.

2.21. “Service Dog” means any Dog trained to do work or perform tasks for the benefit of an individual with a disability or used for search and rescue or law enforcement.

2.22. “Tag” means License as defined in this By-Law

2.23. “Threatens” means un-Muzzled, Leashed or unleashed, or unattended by its Owner, or a member of the Owner’s family, in a vicious or terrorizing manner, approaches 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, to any person or Animal.

3. REGISTRATION AND ANNUAL DOG TAX

- ~~On or before the first day of March in each year, the owner of any dog shall register such dog with the Clerk, or dog tax collector, and shall pay the tax provided by this by-law, and shall obtain from the Clerk, or dog tax collector, a tag for such dog.~~
- ~~The owner of a dog who has become owner thereof after the first day of March and which dog is not registered in his name, shall within two days~~



~~after he becomes owner, register the dog and pay the tax to the Clerk or the dog tax collector.~~

- ~~The tax shall be annually as follows:~~
 - ~~One male or spayed female dog: \$10.00~~
 - ~~One female dog, not spayed: \$25.00~~
 - ~~Any dog that is trained to assist and assists a person with a disability is exempt from the tax.~~
 - ~~The owner of a kennel of purebred dogs which are registered in the Canada Kennel Club may, in any year, pay to the treasurer of the Municipality, ten dollars as a tax upon the kennel for that year, and upon the production of the treasurer's certificate of payment, the owner of such kennel shall be exempt from assessment and any further tax in respect of such dogs for that year.~~
 - ~~The Clerk shall supply the owner with a suitable tag for each dog registered, bearing a serial number and a year of registration stamp thereon, and the owner of every registered dog shall keep the tag securely fixed on the dog at all times during the year and until he procures a tag for the following year, accepting that the tag may be removed while the dog is being lawfully used for hunting purposes.~~
 - ~~The Clerk shall keep a record of every dog registered, showing the date and number of registration and the name and description of the dog with the name and address of the owner. The owner shall furnish this information to the Clerk at or before the time of registration.~~
 - ~~If an owner files with the Clerk a statutory declaration that a tag has been lost, the Clerk may replace the tag that has been lost upon payment by the owner of twenty five cents.~~
 - ~~Any owner within the Municipality who sells or transfers any dog shall report to the Clerk the sale or transfer, the name and address of the person to whom it was sold or transferred, a description of the dog and the number of the registration as shown on the tag issued by the Clerk.~~
- 3.1. Every owner of a dog shall, within ten (10) days of having become owner, register such dog with Municipal Staff and obtain from the Municipal Offices or Dog Control Officer, a Tag for such dog. Tags shall bear a serial number and a year of registration stamp.**
- 3.2. In order to register a dog, an owner shall pay the lifetime registration fee and shall supply the Municipality with the following:**
- a) **Name, civic address, mailing address and telephone number of the owner;**
 - b) **Name, breed, and approximate age of the dog;**
 - c) **Description of the dog including whether the dog is male or female, spayed or unspayed or neutered or unneutered as the case may be,**
 - d) **Photo of the dog;**
 - e) **Identification information such as micro-chip implants, tattoos or other special markings;**



- f) Emergency or alternate contact in the event the dog has been found; and
 - g) At the discretion of the Owner, any pertinent information the Owner feels may help in identifying the Dog such as temperament, inoculations or other identifying characteristics.
 - h) Upon receipt of this information, the Municipality shall supply the Owner with a Tag and directions respecting the placement of the Tag and a receipt.
 - i) The Municipality shall be notified immediately of any changes to the information required under this Section.
- 3.3.** The License/registration fee shall be as follows:
- a) One male or spayed female dog \$20.00
 - b) One female dog, not spayed \$45.00
- 3.4.** Registration shall be effective for the lifetime of the dog, but the owner is responsible for replacing the tag if lost in accordance with the registration fees outlined in this by-law.
- 3.5.** The Owner shall not use the Tag issued for one Dog on any other Dog.
- 3.6.** The following are exempt from registration:
- a) a stray dog that is harboured for less than six (6) months;
 - b) a dog shall be exempt from registration and registration fees in the event the owner proves that the dog is under the age of three months;
 - c) a Service Dog as defined in Section 2.21 of this By-Law, that is trained to assist and regularly assist a person shall be registered, but is exempt from any registration fee (evidence of certification may be required at the discretion of the Municipality); or
 - d) if Council authorizes by recorded resolution a fee to be paid by the owner of a kennel of pure-bred dogs that are registered with the Canadian Kennel Association as an annual tax upon the kennel, upon payment of such fee the owner of the kennel is exempt from any further fee in respect to dogs kept at the kennel that year.
- 3.7.** The owner of every dog shall keep on the dog, a collar with the tag issued for that dog by the Dog Control Officer or Municipality at the time of registration and such tag shall be kept securely fixed on the dog at all times while in a public place, accepting that the tag may be removed for hunting purposes.
- 3.8.** The owner of a dog shall deliver in writing to the Dog Control Officer a statement of the number of dogs owned or harboured, or that are kept upon the premises occupied by the owner within ten (10) days after having received notice requiring it to be provided.



3.9. The Municipality shall keep a record of every Dog registered, showing the date and number of the registration, the name and description of the Dog with the name and address of the Owner and the respective registration category. In the event that the registration fee is not paid within ten (10) days of the Owner coming into possession of the Dog, the Municipality shall have the authority to impound the Dog.

4. RESPONSIBILITIES OF THE OWNERS

- ~~• The owner of a dog shall not allow the dog to run at large;~~
 - ~~• The owner of a restricted dog shall ensure that the dog, when in a public place, is muzzled and under the effective control of an adult by means of a harness or leash;~~
 - ~~• The owner of a restricted dog shall ensure that, when not in a public place, the dog is sufficiently restrained or confined so as to prevent the dog from leaving the property without the above described effective control.~~
- ~~• The owner of a dog:~~
 - ~~• which runs at large contrary to this by-law; or~~
 - ~~• in respect of which the tax imposed by this by-law is not paid; or~~
 - ~~• which, without provocation, has attacked or injured any domestic animal or person or property whether or not such dog is chained, muzzled or otherwise restrained;~~
 - ~~• which is a restricted dog and is in a public place without being muzzled and under the effective control of an adult by means of harness or leash;~~
 - ~~• which persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise;~~
 - ~~• is guilty of an offense against this by-law and is subject on conviction to the penalties prescribed by this By-Law and the Municipal Government Act.~~

4.1. Every Owner of a Dog:

- a) whose Dog runs at large;
- b) whose Dog is not wearing a Tag required by this By-Law;
- c) whose Dog is not Licensed pursuant to this By-Law;
- d) whose Dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise;
- e) whose Dog at any time without the presence of a Mitigating Factor has Attacked or injured any person or Animal or damaged any property;



- f) who harbours, keeps, or has under care, control or direction, a Dog that is Fierce or Dangerous;
 - g) who fails to remove the feces of such Dog, other than a service Dog that is trained to assist and assisting a person with a disability from public property or private property other than the Owners;
 - h) whose Dog damages public or private property; or
 - i) who sells or transfers a registered Dog and does not report the sale or transfer to the Municipality, along with the name and address of the person to whom the Dog was sold or transferred, a description of the Dog and the Dog's registration number;
- is guilty of an offence under this By-Law.

4.2. When requested to do so, the Owner shall deliver to the Municipality a statement in writing of the number of Dogs owned or harboured or habitually kept on the premises of the Owner, and in the event the Owner neglects or refuses to provide the statement within a period of ten (10) business days after having received notice requiring the statement to be provided shall be guilty of an offence under this By-Law.

5. ~~IMPOUNDING AND OTHER REMEDIES~~ IMPOUNDMENT

- ~~• The dog control officer has the authority to impound, sell, kill or otherwise dispose of dogs:~~
 - ~~○ which run at large contrary to this by-law;~~
 - ~~○ in respect of which the tax imposed by this by-law is not paid;~~
 - ~~○ that are fierce or dangerous;~~
 - ~~○ that are rabid, or appear to be rabid or exhibiting symptoms of canine madness; or~~
 - ~~○ that persistently disturb the quiet of the neighbourhood by barking, howling or otherwise.~~
- ~~• The Council shall appoint a pound keeper who shall keep all dogs delivered to him, and furnish them with food and water, and the Dog Control Officer may be appointed and serve as the said pound keeper.~~
- ~~• Upon any dog being impounded, the pound keeper shall, if the dog bears a tag issued by the Clerk, mail to the registered owner by ordinary mail, postage prepaid, and shall post in the Court House at Arichat and in two~~
- ~~• other public places within the Municipality, no later than forty-eight hours before the time fixed therein, a notice in the following form:~~



the Dog Control Officer shall hold such Dog until the expiry of the first business day following the weekend or Holiday to permit the Owner to redeem the Dog.

- 5.4.** If a Dog without a Tag is missing the onus is on the Owner of the Dog to ascertain within seventy-two (72) hours of the Dog being impounded, whether the Dog has been impounded; neither the Dog Control Officer nor the Municipality shall incur liability in the event of failure to contact the Owner.
- 5.5.** Any Dog with a Tag shall require the Municipality to make at least one attempt to contact the registered Owner of the Dog using the Tag number on the records at the Municipality. The registered Dog may, after the expiration of that period and at the discretion of the Municipality, become the property of the Municipality, and may be offered to the SPCA for adoption.

6. FEES AND CONDITIONS FOR RELEASE OF A DOG FROM A KENNEL

- 6.1.** The Owner of any impounded Dog, or person having the written authorization of the Owner, may redeem the Animal from the Kennel upon payment of the following:
- a) Redemption fees (one-time cost of \$100);
 - b) Boarding fee for each day, or part thereof, that the Dog has been impounded (\$20 per day); and
 - c) Any veterinary fees incurred while the Animal is impounded; and a registration fee, if required.
- 6.2.** Notwithstanding the foregoing, the owner of any dog which has been impounded for its third infraction of running at large contrary to this By-law within the space of twenty-four (24) months, shall not be permitted to redeem such dog.
- 6.3.** Notwithstanding the foregoing, the owner of any dog which has been impounded either pursuant to Section 5, or to the warrant provisions contained in the Municipal Government Act, S.N.S. 1998, c.18, as amended, for its third infraction of persistently disturbing the quiet of the neighbourhood by barking, howling or otherwise contrary to this By-law within the space of twenty-four (24) months shall not be permitted to redeem such dog. The dog may be sold or euthanized by the Pound Keeper and, if sold, the proceeds shall be forwarded to the Municipality of the County of Richmond.
- 6.4.** Every Owner who redeems a Dog from the Municipal Kennel shall be liable for payment of all fees incurred in impounding the Dog including, but not limited to, the cost of apprehension, board, food, care, and any veterinary fees prior to reclaiming such Dog as per the conditions in this by-law. In addition, the Owner must produce a valid Municipal Dog Tag before the Dog(s) can be redeemed from the Municipal Kennel.



6.5. The Municipality may impose such conditions and/or fines on an Owner who redeems a Dog from the Kennel as the Municipality determines are appropriate and necessary to ensure further violations of this By-Law are unlikely to occur. Conditions may include but are not limited to the following: a muzzle order, leash requirement, microchip, or fencing/containment requirements.

6.6. If a dog is released to its Owner on conditions pursuant to Section ABOVE and the Owner fails to comply with one or more conditions:

- a) The failure to comply with the condition or conditions is a contravention of this By-law; and
- b) The Municipality may capture and impound the Dog that is subject to the conditions and deal with it in accordance with Section 5 of this By-law.

7. PENALTIES-PENALTY

- ~~Every owner who neglects to obtain a tag for each dog owned by him and to keep it securely fixed on his dog, except while the dog is being lawfully used for hunting purposes, or who used a tag upon a dog other than that for which it was issued, shall be liable on conviction to a penalty of not less than \$100.00 and not more than \$5,000.00 and in default of payment to imprisonment for a period not exceeding ninety (90) days.~~
- ~~Any person who violates or fails to comply with any provisions of this by-law shall be liable on conviction to a penalty of not less than \$100 and not more than \$5,000, and in default of payment to imprisonment not exceeding ninety (90) days, providing that where a person has been issued a Summary Offence Ticket by the Dog Control Officer in respect of such offence under this By-law, the person may settle out of court by endorsing a guilty plea and paying the minimum fine, together with administrative and victim surcharges payable thereon, to the Clerk of the Provincial Court at the Justice Centre in Port Hawkesbury, Nova Scotia.~~
- ~~Every day on which an offence under this By-law continues may be considered a further offence and further Summary Offence Tickets issued therefor.~~

7.1. The owner of any dog which is guilty of any of the offences against this By-law is subject on summary conviction to be liable to a fine as follows:

- a) First Offence
 (Within in a 24 month Period) \$165.00
- b) Second Offence
 (Within in a 24 month Period) \$279.00
- c) Third Offence
 (Within in a 24 month Period) \$425.00
- d) Fourth Offence
 (Within in a 24 month Period) \$605.00



7.2. A person who does anything prohibited by this By-Law or who neglects or fails to do anything required by this By-Law to be done by them is guilty of an offence and except where some other penalty is provided by this By-Law for the act, refusal, neglect or failure, is liable on summary conviction to a penalty of not more than five hundred dollars (\$500.00) and, in default of payment, to imprisonment for a term not exceeding ten (10) days.

7.3. Every Owner of a Dog that commits an offence under Section 4 of this By-Law, upon conviction shall be liable to a penalty of not more than five thousand dollars (\$5,000.00) and, in default of payment, to imprisonment for a term not exceeding thirty days. Any person who obstructs or hinders the Dog Control Officer in the performance of their duties under this By-Law is guilty of an offence, and is liable, upon summary conviction to a penalty of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00) and in default of payment to imprisonment for a term of not more than two (2) months.

8. ~~FIERCE AND DANGEROUS DOGS~~ FIERCE OR DANGEROUS DOGS, RABID DOGS, AND RUNNING AT LARGE REPEAT OFFENDERS

- ~~(Upon information on oath by a Peace Officer that it is believed on reasonable and probable grounds that a person is harbouring, keeping or has under care, control or direction a dog that is fierce or dangerous, rabid or appears to be rabid, that exhibits symptoms of canine madness or that persistently disturbs the quiet of a neighbourhood by barking, howling or otherwise, any Judge or Justice of the Peace may, by warrant under his or her hand, authorize and empower a person named in the warrant to enter and search the place where the dog is at anytime, to open or remove any door, lock, fastening or obstacle preventing access to the dog, to break, remove or undo any chain, rope, lock, or fastening of the dog to the premises and to seize and deliver the dog to the pound;~~
- ~~Where the person named in the warrant is unable to seize the dog in safety, that person may destroy the dog;~~
- ~~The Peace Officer must satisfy the Judge or Justice of the Peace upon information on oath of the reasons or grounds of belief before a warrant under this section may be issued.~~
- ~~At the trial of a charge laid against the owner of a dog that is fierce or dangerous contrary to this by-law:~~
 - ~~the Judge may, in addition to the penalty, order that the dog be destroyed by the pound keeper or otherwise dealt with, and order that the owner pay any costs incurred by the Municipality related to the dog including costs related to the seizure, impounding or destruction of the dog; and~~
 - ~~it is not necessary to prove that:~~
 - ~~the dog previously attacked or injured any domestic animal, person or property;~~
 - ~~the dog had a propensity to injure or to do damage or was or is~~



- ~~accustomed to doing acts causing injury or damage;~~
- ~~the defendant knew that the dog had such propensity or was or is accustomed to doing acts causing injury or damage;~~
- ~~the defendant knew or permitted the dog to be in public while not wearing a muzzle or without being under the effective control of an~~
- ~~adult person by harness or leash.~~
- ~~evidence that one neighbour was disturbed is prima facie evidence that the neighbourhood was disturbed.~~
- ~~No Judge shall order the release of any dog and no pound keeper shall release any dog to the owner unless the owner pays all fees, costs and expenses of the pound keeper while the dog was impounded and kept at the pound.~~
- ~~All former Dog By-Laws passed by the Council are hereby repealed and this By-Law substituted therefore.~~

8.1. Any Dog Control Officer investigating a dog alleged to be fierce or dangerous may do any one or more of the following:

- a) Declare the offending dog to be fierce or dangerous;
- b) Impose an Order of Conditions on the dog that the dog owner is obligated to follow, including but not limited to:
 - i) Requiring the dog to be muzzled and tethered at all times off property and/or outside of an enclosure.
 - ii) Requiring the dog to be secured indoors or in an enclosure on property owned by the owner.
 - iii) Requiring appropriate signage warning of the risk posed by the dog.
 - iv) Any other condition deemed necessary to ensure the safety of the public.
- c) Order any dog under investigation for being fierce and dangerous, be impounded for 10 days, at the owner's expense. The Dog Control Officer may extend the period of impoundment if more time for assessment is required.
 - i) Any dog impounded may, in the investigating Dog Control Officer's discretion, undergo any testing deemed necessary to ensure the health and safety of the public, including a welfare and behavioural assessment to determine eligibility for return.
- d) A dog that the Dog Control Officer believes on reasonable grounds acted in a fierce or dangerous manner be seized, at any time following the alleged occurrence of being fierce or dangerous, may:
 - i) undergo welfare and behavioural assessment to determine eligibility for return to the owner or rehoming.
 - ii) prior to making a decision as to return or rehome a dog, the Dog Control Officer shall share the results of any tests or assessments with the owner and shall provide the owner at least two business days to submit a written response.



- iii) if the Dog Control Officer decides to rehome a dog, the owner must be provided at least five (5) business days' notice before the permanent placement in a new home occurs.
- 8.2.** Where a Dog has been captured and impounded and the Municipality has reasonable grounds to believe any of the following apply, the Dog shall be dealt with in accordance with the sections below:
- a) The Dog was Running at Large and has been captured and impounded on two previous occasions while Running at Large within the past two (2) years;
 - b) The Dog is Fierce or Dangerous; or
 - c) The Dog is rabid or appears to be rabid.
- 8.3.** If the Dog that has been captured has a current Tag issued by the Municipality or a Tag by which the Municipality could ascertain the Owner's name and address, the Municipality shall send a notice to the Owner by registered mail including:
- a) A statement that the Dog will be given away, sold or destroyed by the Dog Control Officer, provided that the date the Dog will be given away, sold, or destroyed shall not be any less than 5 days from the date of mailing of the notice; and
 - b) Notice that the Owner may make written representations to the Municipality respecting the giving away, sale or destruction of the Dog by delivering to the Municipality such written representations 2 days prior to the scheduled date that the Dog will be given away, sold or destroyed.
- 8.4.** If the Dog does not have a Tag issued by the Municipality or a Tag by which the Municipality could ascertain the Owner's name and address, the Municipality are not required to send a notice to the Owner, but shall not give away, sell or destroy the Dog until at least seventy-two (72) hours after it has been captured to permit the Owner an opportunity to make written representations respecting the Dog.
- 8.5.** Where written representations have been provided by an Owner to the Municipality pursuant to Section 8.3 (b), the Municipality shall consider the representations and if the Municipality concludes that the Dog:
- a) Was Running at Large and two previous written warnings have been given to the Owner that the Dog has been Running at Large within the past two (2) years; and/or
 - b) Is Fierce or Dangerous; and/or
 - c) Is rabid or appears to be rabid;
- 8.6.** The Municipality may give away, sell or destroy the Dog, and shall notify the Owner of the decision by registered mail. The notice shall include written reasons for the decision to give away, sell or destroy the Dog.



- 8.7.** If, following consideration of the Owner's written representations, the Municipality decides not to destroy the Dog, the Dog shall remain impounded and dealt with in accordance with Section 6 of this By-Law. The Owner of a Fierce or Dangerous Dog shall ensure that, when the Dog is on the property of the Owner:
- a) The Dog is confined indoors and not left in the control of a person under eighteen (18) years of age; or
 - b) The Dog is confined outdoors:
 - i) In a locked pen or other structure to prevent its escape and capable of preventing the entry of any person not in control of the Dog, which locked pen or other structure has secure sides and top and has no bottom secured to the sides, the sides are embedded in the ground to a minimum depth of thirty (30) centimetres, and the locked pen or structure is at least one and one-half (1.5) metres wide by three (3) metres long and one and one-half (1.5) metres in height, and is not located within 1.2 metres of the property line'; or
 - ii) Muzzled, and under the control of a person over eighteen (18) years of age by means of a Leash not exceeding one (1) metre in length in a manner that prevents it from chasing, injuring, Attacking or Biting other Animals or humans as well as preventing damage to public or private property.
- 8.8.** The Owner of a Fierce or Dangerous Dog shall ensure that, when off the property of the Owner, the Dog is:
- a) Muzzled;
 - b) Harnessed or Leashed on a lead not exceeding one (1) metre in length in a manner that prevents it from chasing, injuring, or Biting other Animals or humans as well as preventing damage to public or private property; and
 - c) Under the control of a person at least eighteen (18) years of age.

9. DOG ATTACKS

- 9.1.** The Owner of any Dog that Attacks any person or another Animal, without the presence of a Mitigating Factor, is guilty of an offence under this By-Law;
- 9.2.** Where the Municipality has reason to believe that a Dog is Fierce or Dangerous, has Attacked or Threatened a person or another Animal, without the presence of a Mitigating Factor, and the Owner of the Dog has been identified, the Municipality may:
- a) issue the Owner a notice to Muzzle, securely Leash, and ensure that the Dog is under the control of a person not under eighteen (18) years of age when the Dog is off the property of the Owner of the Dog;



- b) issue the Owner a notice to keep the Dog securely restrained either indoors or inside an escape-proof enclosure in accordance with Section 9 of this By-Law;
- c) issue the Owner a notice to microchip the Dog; and
- d) obtain a warrant to seize and impound the Dog for public safety until the Owner satisfies the Municipality that the Dog no longer Threatens the public.

9.3. In an Emergency, the Municipality may have a Dog destroyed without permitting the Owner to recover it and issue a notice to the Owner informing that the Dog has been destroyed.

10. TRANQUILIZING OF A DOG ON SITE

10.1. The Dog Control Officer may tranquilize any dog whether or not it is fierce or dangerous, without notice or impounding if:

- a) the dog is running at large; and
- b) the Dog Control Officer is unable to seize the dog in safety.

11. DESTRUCTION OF A DOG ON SITE

11.1. The Municipality may, without notice to or complaint against the Owner, destroy on site any Dog that is Fierce or Dangerous, is Running at Large and eluding capture, or is rabid or appears to be rabid, if:

- a) There is an Emergency and the Dog poses an immediate danger to a person or a domestic Animal or to property or person other than the Owner; or
- b) The person named in a warrant issued to seize a Dog is unable to seize the Dog safely.

12. DUTY TO REPORT

12.1. In the event of an Emergency, or during the course of a normal By-Law response, it is suspected that a Dog has been abused or neglected, the Municipality must notify a peace officer having authority under the Animal Protection Act. The officer(s) may with the assistance of the Municipality take the Dog into protective care and, if necessary, provide veterinary services to such Dog. The cost of care and any veterinary services so provided shall be paid by the Owner. These instances must be reported to the Nova Scotia SPCA's Chief Provincial Inspector.

By-Law / Policy Working List

Bylaw/Policy		Date Added	Status	Draft
1	Council Procedural Policy	02-08-2022	Ready	2
2	Committee Terms of Reference (Recreation Advisory Committee)	28-11-2022	Ready	1
3	Street Light Policy	27-05-2024	Ready	2
4	Presentations and Delegations Appearing before the COW or Mun.Council	08-05-2024	Ready	1
5	Dog By-law	07-08-2024	Ready	1
6	Committee Terms of Reference (Accessibility Advisory, MEMPC, Fire Protection Services)	28-11-2022	In progress	
7	Grants Policy	17-07-2024	Up for Review	
8	Registration of Volunteer Fire Department & Emerg. Services Policy	31-01-2024	Reviewed	
9	Heritage By-Law	24-10-2022	In progress	2
10	Heritage Property Designation Policy	27-02-2023	In progress	2
11	Vending By-Law	11-04-2023	In progress	2
12	Vending Fee Policy	11-04-2023	In progress	2
13	CCBF - Non Profits Policy	27-02-2023	Not in progress	
14	Councillor Payment Policy	26-06-2023	Not in progress	
15	DryFire Hydrant Policy	27-05-2024	Not in progress	
16	Road Trails Designation	18-06-2024	Not in progress	
Discussion			Status	
1	Cellphone Use	24-06-2024	In progress	
2	Waste Receptables at food establishments	24-06-2024	In progress	
3	Roaming Farm Animals	27-05-2024	In progress	
4	Road Trails Designation	18-06-2024	Completed	
5	Speed Radar Units	26-09-2023	Not in progress	
6	Animal By-Law	08-02-2022	Not in progress	
To be Repealed			Status	
1	Hands Free Cell Phone Policy	18-06-2024	In progress	
EDPC By-Laws In Progress			Status	

1	West Richmond Land Use By-Law Amendments	16-07-2024	PAC Report to September 23, 2024 Regular Council/ Requires Council First Reading Approval
2	Central Richmond Land Use By-Law Amendments	16-07-2024	PAC Report to September 23, 2024 Regular Council/ Requires Council First Reading Approval
3	St. Peter's Land Use By-Law Amendments	16-07-2024	PAC Report to September 23, 2024 Regular Council/ Requires Council First Reading Approval
4	Isle Madame Land Use By-Law Amendments	16-07-2024	PAC Report to September 23, 2024 Regular Council/ Requires Council First Reading Approval
5	By-Law to amend the RC Subdivision By-Law	16-07-2024	PAC Report to September 23, 2024 Regular Council/ Requires Council First Reading Approval
Recently Completed		Date Completed	Status
1	TOR - Audit, Fences Arbitration, PAC, By-Law/Planning, MEMAC, RCMP Board	23-09-2024	Completed
2	Captial Improvement & Development Policy	15-01-2024	Completed
3	Purchasing and Tender Policy	24-06-2024	Completed
4	Flag Policy	24-06-2024	Completed
5	Committees Policy	24-06-2024	Completed
6	Plan Richmond Project - Municipal Planning Strategy & Land Use By-Lawy / EDPC	06/03/2024	Completed
7	Amendments to the Central Richmond Secondary Plan and Land Use By-Law to allow former institutional buildings to be converted into dwelling units.	05-03-2024	Completed
8	Grants Policy	26-02-2024	Completed
9	Sale of Municipal Property	26-02-2024	Completed
10	Strategic Communications Plan	31-01-2024	Completed
11	Website Content and Maintenance Policy	31-01-2024	Completed
12	Social Media Policy	31-01-2024	Completed
13	Publication of Council, Committee of Council, Committee Reports and Meeting Packages on Municipal Website	31-01-2024	Completed
14	Communication Policy	31-01-2024	Completed
15	Delegation Appearing before Municipal Council	31-01-2024	Completed
16	Travel and Expense Policy	23-10-2023	Completed
17	Grant Disclosure Policy	26-02-2024	Completed
18	Wind Turbine Overlay Mapping Land Use By-Law Amendments	12-12-2023	Completed
19	Marketing Levy Amendments	23-10-2023	Completed
20	RCMP Advisory Board By-Law	20-11-2023	Completed
21	Recreation Vehicles/Small Campgrounds - EDPC	19-12-2023	Completed
22	Storm Policy	23-01-2023	Completed
For Future Review		Date Added	
1	Halloween Policy	25-01-2023	
2	Employee Policies	23-06-2023	

3	Advertisements - Discussion (direction for advertisements that are not operational or community based)	10-01-2024	
---	---	------------	--