

March 7, 2016

The Municipal Council for the Municipality of the County of Pictou met in the Council Chambers of the Municipal Administration Building on Monday, March 7, 2016 at 6:00 p.m.

PRESENT

Dist.	1	Clr. Sally Fraser
	4	Warden Ronnie Baillie
	5	Clr. Robert Parker
	6	Clr. Jim Turple
	7	Clr. David Parker
	8	Clr. Leonard Fraser
	9	Clr. Larry Turner
	10	Clr. Jamie Davidson
	11	Deputy Warden Andy Thompson
	12	Clr. Chester Dewar
	13	Clr. Randy Palmer
	14	Clr. Scott Johnston

ABSENT

	2	Clr Deborah Wadden
	3	Clr. Edward MacMaster
	9	Clr. Larry Turner

IN ATTENDANCE

Donn Fraser, Solicitor, MacIntosh, MacDonnell & MacDonald
Karen E. Cornish, Deputy Municipal Treasurer
Carolyn MacIntosh, Deputy Municipal Clerk
Jane Johnson, Recording Secretary

BY INVITATION

Scott Murdock, Scouts Canada

CALL TO ORDER

Deputy Warden Thompson called the meeting to order and requested that Councillors stand and take a moment in silence to pray or simply reflect, as may be their preference, to help Council focus and properly do the work of the County.

AGENDA

It was moved by Clr. D Parker and seconded by Clr. Turple that the agenda be approved with the deletion of Item # 9 regarding the Aberdeen Hospital Renovation Project.
Motion carried.

MINUTES

It was moved by Clr. Davidson and seconded by Clr. S. Fraser that the minutes of February 1, 2016 be approved as presented.
Motion carried.

CORRESPONDENCE

Correspondence was received and acknowledged from the following:

- a) NS TIR – Advising that there are no current plans to carry out any surface treatments to the asphalt pavements on Routes 376 & 256.
- b) Letters of Appreciation (uncirculated) for financial assistance were received from the Pictou West Food Bank, the West Pictou/Thorburn/Saltsprings/North Nova/ F.H. MacDonald Schools (breakfast pgms.), and the Shriners Hospitals/Johnston Families (donation IMO the Late J. Murray Johnston).

Clr. Turple referred to District 3's Caribou Island Road and pointed out that it was resurfaced again last summer and it is in deplorable condition already. Clr. Turple informed Council that he will bring up this issue at the next Property Services Committee meeting.

Clr. Dewar asked that staff get information on the possibility of the Registry of Deeds being moved out of the province.

FINANCIAL SERVICES COMMITTEE REPORT

Clr. Palmer presented the report of the Financial Services Committee as follows:

FINANCIAL SERVICES COMMITTEE REPORT

For information purposes the Financial Services Committee submits the following report on the activities of the Committee for the month of February:

1. Met in closed session to discuss matters relating to legal advice eligible for solicitor-client privilege.
2. Met with a representative of the Safe Harbour Pictou County Refugee Project for a progress report on their sponsorship and advocacy efforts. (Resolution to follow)
3. Reviewed the report of the Recreation Coordinator for the month of January.
4. Considered numerous applications for financial support. (Resolution to follow)
5. Selected Rita Heron as the Municipality's "Volunteer of the Year".
6. Considered recommendations from the Returning Officer on the establishment of election fees. (Resolution to follow)
7. Reviewed the list of Accounts Paid for the month of January.
8. Considered tenders for the disposal of surplus vehicles and the purchase of a new vehicle. (Resolutions to follow)

DATED at Pictou, N.S. this 7th day of March, 2016.

(Sgd.) Randy Palmer
Chester Dewar

MOTION

It was moved by Clr. Palmer and seconded by Clr. Dewar that the report of the Financial Services Committee be received for information purposes.

Motion carried.

PROPERTY SERVICES COMMITTEE REPORT

Clr. D. Parker presented the report of the Property Services Committee as follows:

PROPERTY SERVICES COMMITTEE REPORT

For information purposes the Property Services Committee submits the following report on the activities of the Committee for the month of February:

1. Met with a resident from the MacLellan's Brook area to hear concerns with respect to a license from the Province for the operation of a rock quarry which will involve blasting in the area. The Committee has agreed to send a letter the Minister of Environment asking an environmental assessment be carried out before a decision is reached on the application.
2. Reviewed the report of the Building Inspector, By-Law/Dog Control Officer and Warden for the month of January.
3. Discussed the status of on-going projects. Construction on the Highway 4 Water & Wastewater Project has ended for the remainder of the winter season and is expected to resume in the spring. The LED street lights conversion was approximately 45% complete at the end of January.
4. Approved the installation of 4 street lights on Holland Lane, Plymouth and agreed to recommend the installation of several intersection lights. (Resolution to follow)
5. Agreed to recommend a revision to the Intersection Street Lighting Policy which would increase the number of lights in a district from 5 to 10. (Resolution to follow)
6. Reviewed proposed amendments to the Nova Scotia Building Code Regulations.

DATED at Pictou, N.S. this 7th day of March, 2016.

(Sgd.) David Parker
Jim Turple

MOTION

It was moved by Clr. D. Parker and seconded by Clr. Turple that the report of the Property Services Committee be received for information purposes.

Motion carried.

REPORT – ECONOMIC DEVELOPMENT WORKING GROUP

Clr. R. Parker reported that there was good news in Pictou County today as far as jobs and employment are concerned with the announcement that Michelin is taking on some more employees. There was also an announcement this morning that our region is a leader in Nova Scotia in terms of creating jobs.

Clr. R. Parker reported that the Economic Development Working Group met in the Council Chambers on February 18, 2016. Three sub-groups were established; the first is working on entrepreneurship and has already met with the Principal at the Pictou Campus of the Nova Scotia Community College. The sub-group also has plans to meet with officials from both St. F.X. University and Dal-AC from Truro. The second sub-group is working on setting up a meeting in the County with workers returning from the western Canada as well as the talent we already have in this County along with the employers. The third sub-group is working on communications and is looking at how we sell our County to the outside world. One of the things we have to sell is the good supply of skilled labor and the many assets that make Pictou County a good place to live. These 3 sub-groups are going to be working over the next

few months to see what they can come up with and hopefully we can lay some good ground work for whatever Council we may have in the fall.

Clr. S. Fraser asked if anyone from the One Pictou County Group is working on the communication piece.

Clr. R. Parker replied it is a sub-group of their Economic Development Working Group that has taken on communications but they will be working closely with other groups.

RESOLUTION – AMALGAMATION PLEBISCITE

Clr. Palmer presented a resolution to Council as follows:

RESOLUTION

WHEREAS the Municipality of the County of Pictou, together with the Towns of New Glasgow, Pictou, and Stellarton have executed a Memorandum of Understanding on municipal reform and have filed a conditional and voluntary application to the Nova Scotia Utility and Review Board for amalgamation;

WHEREAS the Council for the Municipality of the County of Pictou wishes to poll the eligible voters of the Municipality to determine support for amalgamation of the aforementioned municipal units;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that, in accordance with Section 53(1) of the Municipal Government Act, Council hereby directs that a plebiscite be held in the Municipality on Saturday, May 28, 2016 on the following question:

Do you favor the amalgamation of the Municipality of the County of Pictou and the Towns of New Glasgow, Pictou and Stellarton into one municipal unit?

AND BE IT RESOLVED that there be two possible answers to the plebiscite question: “Yes” or “No”.

DATED at Pictou, NS this 7th day of March, 2016.

(Sgd.) Randy Palmer
Scott Johnston

MOTION

It was moved by Clr. Palmer and seconded by Clr. Johnston that the preceding resolution be adopted as presented.

Clr. L. Fraser asked if plebiscite question will be put in the paper so people can read it and Warden Baillie replied that will be going out as part of the communications through advertising and community meetings.

Clr. R. Parker commented that there was no mention of the on-line voting in the resolution and he asked if it has to be included in this resolution.

The Deputy Municipal Clerk replied that the Municipality’s Alternative Voting By-Law does provide for the use of other means of voting, specifically telephone and internet voting as part of this process.

The Deputy Municipal Clerk informed Clr. L. Fraser that the election advertising for the revision of voters’ lists and the advertising of poll locations will also include the question.

Clr. Dewar reported that he was of the understanding that people looking for positions in the polls have to fill out a resume and he asked if that was a new requirement.

The Deputy Municipal Clerk reported that this was a departure from how things were done in the past and it is being implemented for the plebiscite. She pointed out that there are 3 other partners involved in this process and they are accustomed to recruiting election workers in that manner; as well, the level of technology skills required for the electronic voting demands a certain skillset from the workers that are hired.

Clr. Dewar asked if this will also include the October election and the Deputy Municipal Clerk replied it could include the October election but it will depend on how well electronic voting is received in the plebiscite.

Clr. Dewar expressed his opinion that this should have been brought to Council before moving forward.

The Deputy Municipal Clerk informed Council that the Steering Committee wants alternative voting for the plebiscite so it narrows your requirements for skilled election workers.

Clr. D. Parker asked the hours on voting day and the Deputy Municipal Clerk replied it will be a 13 hour day.

Clr. D. Parker asked when does the electronic voting end and the Deputy Municipal Clerk replied it will end on the Tuesday prior to May 28, 2016.

Motion carried.

RESOLUTION – REFUGEE FUNDING PROGRAM

Clr. S. Fraser presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council establish a fund in the amount of \$30,000 to assist non-profit organizations with expenses to sponsor and advocate on behalf of refugees immigrating to Pictou County.

DATED at Pictou, NS this 7th day of March, 2016.

(Sgd.) Sally Fraser
Jim Turple

MOTION

It was moved by Clr. S. Fraser and seconded by Clr. Turple that the preceding resolution be adopted as presented.

Clr. D. Parker asked if there was going to be any criteria when applying for refugee funding because he would like to see it more structured.

Deputy Warden Thompson replied the resolution is to create a fund but any withdrawal from that fund would have to come to the Financial Services Committee for consideration and recommendation to Council.

Motion carried.

RESOLUTION – MUNICIPAL GRANTS

Clr. L. Fraser presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the payment of the following Municipal Grants:

Recreation:

Fitness Challenge Program	\$	150.00	D01 Clr. Allotment; Prizes
Seniors Outreach Lunch & Learn		150.00	D02 Clr. Allotment; Lt. Hbr. Pgm. Exp.
Meals on Wheels		150.00	D04 Clr. Allotment; Pgm. Exp.

West Pictou Consolidated School	150.00	D05 Clr. Allotment; Pgm. Exp.
Middle River 4-H Club	150.00	D07 Clr. Allotment; Pgm. Exp.
Frank H. MacDonald School	150.00	D10 Clr. Allotment; Bkfst. Pgm.
Hopewell 4-H	75.00	D12 Clr. Allotment; Pgm. Exp.
Hopewell & Area Pk. & Footbridge Comm.	75.00	D12 Clr. Allot.; Candy Cane Comm Exp
Thorburn & Dist. Minor Hockey Assoc.	150.00	D13 Clr. Allotment; Pgm. Exp.
Pictou Co. Highland Dance Assoc.	250.00	Champ. Tournament Hosting Exp.
New Glasgow Minor Hockey Assoc.	180.00	Program Expenses
Pictou County Female Minor Hockey	1,180.00	Program Expenses
Pictou County Minor Hockey	1,280.00	Program Expenses
Pictou Minor Hockey	1,980.00	Program Expenses
Thorburn & District Minor Hockey Ass.	3,000.00	Program Expenses
Westville Minor Hockey	900.00	Program Expenses
East Pictou Silver Blades	620.00	Program Expenses
Heather Skating Club	2,140.00	Program Expenses
Stellarton & Area Minor Girls Softball	585.00	
Highland Derby Dolls	100.00	Program Expenses
Heatherbell Pipes & Drums	100.00	Program Expenses
Kanokai Judo Club	270.00	Program Expenses
Pictou Co. Gymnastics Club	757.50	Program Expenses
Northern Nova Soccer Club	1,125.00	Program Expenses
Riverview Home	1,000.00	Program Expenses
Valley View Villa	1,000.00	Program Expenses
Pictou County Cycle Club	<u>350.00</u>	Start-Up Grant
TOTAL:	\$ 18,017.50	

Municipal Services:

D01 Kenzieville & Dist. Comm. Club	2,500.00	Operating Expenses
D14 Sunny Brae Cemetery	450.00	Landscapping & Monument Repairs
D07 Pump Road Homeowners	<u>2,085.00</u>	Extension of the Deadline to utilize the unspent balance of funds originally approved by Council on July 6/15 for Road Improvements
TOTAL:	\$ 5,035.00	

Council:

Chignecto East Reg. Science Fair	<u>\$ 250.00</u>	Event Expenses
	\$ 250.00	
GRAND TOTAL:	<u>\$ 23,302.50</u>	

DATED at Pictou, N.S. this 7th day of March, 2016

(Sgd.) Leonard Fraser
Jamie Davidson

MOTION

It was moved by Clr. L. Fraser and seconded by Clr. Davidson that the preceding resolution be adopted as presented.
Motion carried.

RESOLUTION – ELECTION FEES

Clr. Turple presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that the following Election Fees be established for the Municipality:

#	POSITION	FEES
1	Dep. Returning Officers	\$250/day + Mileage
2	Poll Clerks	\$225/day + Mileage
3	Poll Rental	\$125/day

DATED at Pictou, N. S. this 7th day of March, 2016.

(Sgd.) Jim Turple
David Parker

MOTION

It was moved by Clr. Turple and seconded by Clr. D. Parker that the preceding resolution be adopted as presented.
Motion carried.

RESOLUTION – VEHICLE PURCHASE TENDERS

Clr. Davidson presented a resolution to Council as follows:

RESOLUTION

WHEREAS tenders have been called for the purchase of a new 2016 full size ½ ton 4 x 4 pickup truck for the Public Works & Development Department;

WHEREAS a total of 3 tenders were received as follows:

	TENDER AMOUNT (Excluding HST)
Highland Ford Sales Ltd.	\$29,900.00
Heron GM	32,522.50
Atlantic Dodge	34,338.00

WHEREAS the Director of Public Works & Development and the Financial Services Committee recommends the acceptance of the lowest tender;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council accept the tender submitted by Highland Ford Sales Limited in the amount of \$29,900.00 for the purchase of a 2016 vehicle as detailed above.

DATED at Pictou, N. S. this 7th day of March, 2016.

(Sgd.) Jamie Davidson
Leonard Fraser

MOTION

It was moved by Clr. Davidson and seconded by Clr. L. Fraser that the preceding resolution be adopted as presented.
Motion carried.

RESOLUTION – DISPOSAL OF SURPLUS VEHICLES

Clr. Dewar presented a resolution to Council as follows:

RESOLUTION

WHEREAS tenders have been called for the disposal of a 2003 Chev S10 4 x 4 truck and a 2006 Chev ¾ ton 4 x 4 truck, both of which are considered to be surplus to the needs of the Municipality;

WHEREAS a summary of tenders received are as follows:

2003 CHEVROLET S-10 4 x 4	
NAME	TENDER PRICE
Richard Muir	\$550.00
Dan Fortune	401.00
Dale MacDonald	465.00
Gordon MacDonald	380.00

2006 CHEVROLET ¾ TON 4 X 4	
NAME	TENDER PRICE
Sid White	\$1,199.00
Dan Fortune	801.00
Kevin Cotter	485.00
Jim Sutherland	550.00
Gordon MacDonald	860.00

WHEREAS the Director of Public Works & Development and the Financial Services Committee recommends the acceptance of the highest tenders;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council accept the tender submitted by Richard Muir in the amount of \$550.00 to purchase the surplus 2003 vehicle as detailed above, and accept the tender submitted by Sid White in the amount of \$1,199.00 to purchase the surplus 2006 vehicle as detailed above.

DATED at Pictou, N. S. this 7th day of March, 2016.

(Sgd.) Chester Dewar
Jamie Davidson

MOTION

It was moved by Clr. Dewar and seconded by Clr. Davidson that the preceding resolution be adopted as presented.

Motion carried.

RESOLUTION – INTERSECTION ST. LIGHTS POLICY

Clr. L. Fraser presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council adopt the following policy with respect to intersection street lighting:



POLICY #2016-03-34

MUNICIPALITY OF THE COUNTY OF PICTOU INTERSECTION STREET LIGHTING POLICY

The Municipality of the County of Pictou hereby enacts the following policy with respect to the provision of street lighting at intersections in areas where residential street lighting does not exist:

Street lighting shall be managed to aid in the safe passage of motor vehicles on public streets or roads and pedestrian traffic at street intersections and other pedestrian infrastructure.

Street lighting shall be managed within the means of the Municipality. Therefore, the intent of the policy is to provide a level of street lighting that is both affordable and adequate for vehicular and pedestrian traffic.

When a request of additional street-lighting is made based upon public safety concerns, the Director of Public Works & Development shall:

- (a) Conduct an analysis of public safety problems in the area and whether such problems could reasonably be expected to be alleviated by additional street lighting.
- (b) In reviewing the need for additional street lighting requirements, the following conditions shall be considered:
 - (i) Traffic Volume;
 - (ii) Accident rates at the intersection;
 - (iii) Ambient Light, where illumination in areas adjacent to the intersection adversely affects the driver's vision;
 - (iv) The intersection approach speed is equal to at least 60 km/h;
 - (v) The location at which a driver is required to pass through a section of road with complex geometry. The geometry must pose a specific night time traffic hazard;
 - (vi) The location where signage is posted for changes in the expected traveled way, and it is deemed by the Director of Public Works & Development that signage alone is insufficient for night time traffic safety;

- (vii) The intersection has a flashing beacon or signalized traffic control.
- (c) Street lighting for intersections shall only be provided on publically owned and maintained roads, where at least 50% of the intersection is paved.
- (d) If installation meets County streetlight warrants, the Municipality will pay the installation, operating, and maintenance costs.
- (e) This policy shall not be used to install lights at approaches to any 100 series highways.
- (f) All street lighting expenditures must conform to approved budget amounts.

Notwithstanding the provisions of this policy, the Councilor for any district may request that 10 intersection lights be installed in their district without an investigation pursuant to clause 1.

REPEAL

All former policies and/or practices heretofore enacted with respect to street lighting at intersections in areas where residential street lighting does not exist are hereby repealed.

DATED at Pictou, NS this 7th day of March, 2016.

(Sgd.) Leonard Fraser
 Jamie Davidson

MOTION

It was moved by Clr. L. Fraser and seconded by Clr. Davidson that the preceding resolution be adopted as presented.
 Motion carried.

RESOLUTION – INTERSECTION ST. LIGHT INSTALLATIONS

Clr. Davidson presented a resolution to Council as follows:

RESOLUTION

WHEREAS the Municipal Council for the Municipality of the County of Pictou has adopted a policy with respect to the provision of street lighting at intersections in areas where residential street lighting does not exist;

WHEREAS this policy is intended to aid in the safe passage of motor vehicles on public streets or roads and pedestrian traffic at street intersections and other pedestrian infrastructure in a manner which is both affordable and adequate for vehicular and pedestrian traffic;

WHEREAS the Property Services Committee has considered requests for intersection street lights in Districts #10 & #11;

THEREFORE BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council approve the installation of intersection street lights, in accordance with Policy #2015-02-34, at the following intersection:

District #10: at the intersection of the Narrows Road & Little Harbour Road, Fraser’s Mountain;

Relocate a street light to the intersection of Highway #4 & Fraser's Mountain Road, Linacy;

District #11: at the intersection of Bowden Road & Sherbrooke Road, Priestville;

at the intersection of East River East Side Road & Holland Road, Plymouth;

DATED at Pictou, NS this 7th day of March, 2016.

(Sgd.) Jamie Davidson
Chester Dewar

MOTION

It was moved by Clr. Davidson and seconded by Clr. Dewar that the preceding resolution be adopted as presented.

Motion carried.

EMERGENCY RESOLUTIONS

There were no emergency resolutions.

PRESENTATION – SCOUTS CANADA – SCOTT MURDOCH (6:30 P.M.)

Mr. Scott Murdoch met with Council and gave a brief update on the Boy Scout Camp. Mr. Murdoch reported the camp now has a new water system and the lake is tested every year. The old dock has been removed and now there is a new floatable dock with proper attachments. The Departments of Health and Environment come and inspect the camp every year. They received funds from the Provincial Council in Halifax and there are available funds for this year's 7th fishing derby. The camp is being rented out more since it has been upgraded. There is a new tin roof on the lodge, cookhouse, new decks that are wheelchair accessible and the first aid cabin has been revamped as well. A leader's cabin has been rebuilt with 8 bunks and they built a brand new building that sleeps 7 and it is also wheelchair accessible. Last year they started on the kids cabins and they hope to have at least 1 done every year. A new gate was installed and that helped keep the vandalism down. Mr. Murdoch informed Council that the camp is a perfect spot for summer recreation programs and it would be free of charge. There are not too many camps around and Camp Rodderick is one of the few that would serve the kids from all over Pictou County and surrounding areas.

Clr. Dewar pointed out that a lot of work has been done and if it was not for Mr. Murdoch and a handful of other people there would not be any scouts. He thanked Mr. Murdoch for the work the scouts have done in the area. Clr. Dewar asked if everything that was logged at Camp Smith been replanted and Mr. Murdoch replied that 90% has been replanted.

Clr. Johnston reported that there is a lot of opportunity with scouting and he thanked Mr. Murdoch for all the work he has done with scouting over the years.

Clr. Palmer reported that he is glad that people are keeping the camp going and he asked if the numbers are increasing.

Mr. Murdoch replied that they have trained 7 volunteers this year and they have beavers in Antigonish and Thorburn again this year. Hopefully they will branch off into New Glasgow next year because they hope to have beavers and cubs in that area.

Clr. D. Parker pointed out that Council likes to see other sources of funding when applying for funding.

Mr. Murdoch informed Council that he would like to hold an open house at Camp Roderick in late summer for everyone to come and see the work that has been done.

Clr. R. Parker pointed out that 4-H and Boy Scouts really build character in our young people and these groups are doing great work. He also expressed pleasure that other groups are using the facility.

Clr. L. Fraser asked the number of years the camp has been going and Mr. Murdoch replied since 1928 but the cabins were built in the 1950's.

Deputy Warden Thompson thanked Mr. Murdoch for the presentation and excused him from the balance of the meeting. (7:00 p.m.)

REFERRALS TO COMMITTEES & NOTICES OF MOTION

Clr. Davidson referred to the up-coming plebiscite on amalgamation and asked if the MOU Steering Committee can veto's Council's decision on moving forward with the MOU process.

The Deputy Municipal Clerk explained that the results of the plebiscite are going to be identified by each Council district and each ward so individual Councillors will know the results from their voters. The votes will then be totaled by Municipality. Following the official addition of the votes the Returning Officer will provide to each of the four Municipal Clerks a copy of the Recapitulation Sheet for their respective municipalities. Each of the MOU partner Councils will take those results and have a discussion and make a decision about withdrawing from the voluntary and conditional application for amalgamation.

Clr. D. Parker pointed out that the CAO had informed Council at the last meeting that Council would know by District the electronic result as well.

RESOLUTION - SPRING ROAD WEIGHT RESTRICTIONS BY-LAW

Clr. R. Parker presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council adopt the following by-law with respect to spring road weight restrictions:



MUNICIPALITY OF THE COUNTY OF PICTOU
SPRING ROAD WEIGHT RESTRICTION BY-LAW

1. This by-law may be cited as the “*Spring Road Weight Restriction By-law*”.
2. In this by-law:
 - a. “gross vehicle weight” means the sum of the individual axle weights of all axles of the vehicle or combination of vehicles;
 - b. “Municipality” means the Municipality of the County of Pictou;
 - c. “Restricted Road” means a highway or road in the Municipality which is listed at Schedule “A” ;
 - d. “single axle” means an axle that transfers the load carried by it approximately equally to the wheel or wheels attached to each end of the axle;
 - e. “Spring Weight Restriction Period” means
 - i. the same period in a given year over which, pursuant to subsection 20(1) of the *Public Highways Act*, R.S.N.S. 1989, c. 371, as amended, the applicable Minister for the Province of Nova Scotia, or designate, prescribes that public highways or public roads, including bridges thereon, will be subject to closure or restrictions to traffic or to any class

or classes of traffic, or

- ii. such other period as the Municipality, at its discretion, may determine by resolution and announce by way of notice published in a newspaper circulating within the Municipality at least two weeks before such period is to begin in a given year;
- f. “tandem axle” means an axle assembly containing 2 consecutive axles whose centres are at least 1.20 m apart and no greater than 1.85 m apart
- i. attached to the vehicle in such a manner that the load on the axle group is equalized on the 2 axles, and
 - ii. equipped with brakes on both axles;
- g. “triple axle” means an axle assembly of 3 consecutive axles with the centres of no 2 consecutive axles less than 1.20 m apart, and
- i. attached to the vehicle in such a manner that the load on the axle group is equalized on 3 axles, and
 - ii. equipped with brakes on all 3 axles;
- h. “tridem axle” means an axle group of 3 consecutive, equally spaced axles within a vehicle that does not include any liftable or self-steering axles and that has the same number and size of tires on each axle, with a minimum outside axle spacing from 2.40 m to a maximum of 3.70 m;
- i. “tridem equivalent axle” means an axle group that is made up of 3 consecutive, equally spaced axles within a vehicle and that has all lift axles lowered and the same number and size, and that has the same number and size of tires on each axle, with a minimum outside axle spacing from 2.40 m to a maximum of 3.70 m; and
- j. “vehicle” means a vehicle as defined under the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293, as amended;
3. No vehicle may be operated on a Restricted Road during a Spring Weight Restriction Period, except as permitted under this by-law.
4. Vehicles under the following applicable maximum vehicle and axle weights may be operated on a Restricted Road during a Spring Weight Restriction Period:
- a. maximum single axle weight of 6,500 kg, except single-drive school and passenger buses, public utility service trucks and fire-fighting trucks;
 - b. maximum tandem or triple axle weight of 12,000 kg per axle grouping;
 - c. maximum tridem or tridem equivalent axle weight of 18 000 kg per axle grouping; and
 - d. maximum gross vehicle weight of 12,000 kg for single-drive school and passenger buses, public utility service trucks and fire-fighting trucks that exceed 6500 kg on a single axle.
5. The following vehicles may also be operated on a Restricted Road during a Spring Weight Restriction Period:

- a. public utility service trucks while responding to emergency situations, including the restoration of services or the establishment of new services to occupied buildings;
 - b. fire-fighting trucks while responding to emergency situations, including attending actual fires, medical crises and motor vehicle accidents, and assisting in fire investigations;
 - c. trucks hauling bulk milk and solid waste (garbage haulers) are permitted to haul 80% of normal axle loads, steering axles are permitted to carry registered weight to a maximum of 6,500 kg, provided the carrier holds a special permit issued by the Province of Nova Scotia and allowing such operations, as provided for under the *Spring Weight Restriction Regulations* under the *Public Highways Act*, R.S.N.S. 1989, c. 371, as amended; and
 - d. vehicles which the Municipality owns, operates or has hired others to operate for the Municipality or public utility vehicles while such vehicles are engaged in maintenance and repair work on municipal roads or streets or utility appurtenances included therein, or to police or fire service or emergency service vehicles or equipment engaged in the line of duty.
6. Every person who violates or fails to comply with any of the provisions of this by-law shall be guilty of an offence and, upon summary conviction, liable to pay a fine and 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 not exceeding sixty (60) days.
7. The offences, fines and penalties or rights of restitution provided for in this by-law, are intended to be in addition to any other applicable offences, fines or penalties or rights, including rights of the Municipality to recover for property damage by way of civil action.
8. When a person causes damage to a Restricted Road through conduct in violation of this by-law and is convicted of an offence as a result, in addition to and without limiting any other relief which might otherwise be available to the Municipality and in addition to any fine or penalty which might be imposed, a Court may also order that such person pay restitution to the Municipality in respect of all such damage.

DATED at Pictou, NS this 7th day of March, 2016.

(Sgd.) Robert Parker
Jim Turple

MOTION

It was moved by Clr. Parker and seconded by Clr. Turple that the preceding resolution be adopted as presented.

Motion carried.

SCHEDULE "A"

Restricted Roads		Community
Road Name		
Stanwood Drive		Lyons Brook
Barclay Ridge Crescent		Lyons Brook
Lakeside Court		Granton
Hidden Cove Drive		Pictou Landing
MacIntosh Drive		Sylvester
Maple Estates Drive		Abercrombie
Holland Lane		Plymouth
Jean St		Plymouth

MOU INFORMATION MEETING

Clr. Dewar pointed out that the MOU information meeting in his district has been advertised for Hopewell when, in fact, it is being held in Eureka, and asked that future advertising reflect this correction.

Clr. R. Parker asked when the signs for the Spring Road Weight Restrictions can be installed and the Deputy Municipal Clerk replied they should be installed by the first of the week.

ADJOURN

It was moved by Clr. D. Parker and seconded by Clr. L. Fraser that the meeting adjourn.
Motion carried. (7:05 p.m.)

Ronald Baillie
Warden

Carolyn MacIntosh
Deputy Municipal Clerk