

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Tuesday, March 29, 2005 at 7:00 P.M.**

PRESENT: Mayor Jerry Hallee
Deputy Mayor David March
Councillor George Baker
Councillor Dale Fawthrop
Councillor Terry Rhindress
Ed Childs, Town Manager
Rebecca Purdy, Executive Assistant

REGRETS: Councillor Robert Angel
Councillor Ed Chitty

1. PUBLIC HEARING

1. Heritage De-Registration Request, 10 Rupert Street

There were no written submissions, and no one came forward to speak on this issue.

2. CALL TO ORDER

3. BUSINESS ITEMS

1. Additions to the Agenda

2. Approval of the Agenda

Moved by Councillor Baker, seconded by Deputy Mayor March that the Agenda be adopted as circulated.

MOTION CARRIED

3. Approval of Minutes

Moved by Councillor Rhindress, seconded by Councillor Baker that the minutes of February 21, 2005 be approved as circulated.

MOTION CARRIED

4. Second Reading, Maintenance of Grass By-Law, D-21

Moved by Councillor Fawthrop, seconded by Councillor Rhindress that Council approve Second Reading and enactment of the new MAINTENANCE OF GRASS BY-LAW Number D-21, respecting the maintenance of grass between the street line and the main travelled way.

MOTION CARRIED

MAINTENANCE OF GRASS BY-LAW

The Council of the Town of Amherst, under the authority vested in it by the Municipal Government Act, R.S.N.S. 1998, s. 310-3 (b) enacts the following by-law.

SHORT TITLE

1. *This By-Law shall be known as the Maintenance of Grass By-Law.*

MAINTENANCE OF GRASS

2. *Owners of properties with sidewalk frontage shall maintain any grass between the sidewalk and the curb or edges of the street in a closely clipped manner and to a height not greater than 6" (0.15m) and shall keep such areas in good order including raking and removal of grass as necessary.*

PENALTY

3. *Any person who commits an offence under this bylaw is liable upon summary conviction to a penalty of not less than one hundred dollars and not more than ten thousand dollars. Every day during which an offence pursuant to this bylaw occurs is a separate offence.*

5. Second Reading, Sewer Use By-Law, D-21

Moved by Councillor Fawthrop, seconded by Councillor Baker that Council approve Second Reading and enactment of the new SEWER USE BY-LAW Number D-3, respecting sewer discharges.

MOTION CARRIED

BY-LAW RESPECTING DISCHARGE INTO PUBLIC SEWERS

1 - Short Title

1(1) *This By-Law shall be known as By-Law Number D-3, and may be cited as the "Wastewater Discharge By-Law".*

2 - Definitions

2(1) *In this By-Law:*

- (a) *"biochemical oxygen demand" means the quantity of oxygen utilized, expressed in milligrams per litre, in the biochemical oxidation of matter within a 120 hour period at a temperature of 20 degrees centigrade;*
- (b) *"chemical oxygen demand" means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per litre;*
- (c) *"combined sewer" means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;*
- (d) *"Council" means the Municipal Council of the Town of Amherst;*
- (e) *"discharge" means to discharge, release, permit or cause to be discharged into the municipal wastewater facilities or stormwater system;*
- (f) *"discharger" means the owner, occupant or a person who has charge, management or control of effluent, sewage, stormwater, uncontaminated water or any combination thereof, which is discharged to the municipal wastewater facilities;*
- (g) *"Engineer" means the Municipal Engineer for the Town of Amherst and includes a person acting under the supervision and direction of the Engineer;*
- (h) *"fuel" includes alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;*
- (i) *"grease" means total oil and grease extracted from aqueous solution or suspension according to the laboratory procedures set forth in "Standard Methods", and includes, but is not limited to, hydrocarbons, esters, oils, fats, waxes and high molecular fatty acids;*
- (j) *"hailed wastewater" means any wastewater transported to and deposited into any location in the municipal wastewater facilities.*
- (k) *"industrial, commercial or institutional" includes or pertains to industry, manufacturing, commerce, trade, business, or institutions, as distinguished from domestic or residential;*
- (l) *"inspector" means a person authorized by the Town of Amherst to carry out observations and inspections and to take samples as prescribed by this bylaw.*
- (m) *"leachate" includes any liquid that has percolated through solid waste and has extracted dissolved or suspended materials from it, including the liquid produced from the decomposition of waste materials and liquid that has entered the waste material from external sources including surface drainage, rainfall and groundwater.*
- (n) *"municipality" means the Town of Amherst;*
- (o) *"pathological waste" includes those fluids or materials which may contain pathogens of human or animal origin;*
- (p) *"pesticides" includes any substance that is a pest control product within the meaning of the "Pest Control Products Act" (Canada) or a fertilizer within the meaning of the "Fertilizers Act" (Canada) that contains a pest control product;*
- (q) *"pH" means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion concentration of the solution in accordance with the "Standard Methods";*
- (r) *"phenolic compounds" means hydroxyl derivatives of benzene and its condensed nuclei;*
- (s) *"sanitary sewer" means a sewer for the collection and transmission of domestic, commercial and industrial wastewater or any of them, and to which uncontaminated or cooling water, storm, surface, and groundwater are not intentionally admitted.*
- (t) *"sewage" means the combination of liquid and water-carried wastes from buildings, containing animal, vegetable or mineral matter in suspension or solution, together with such groundwater, surface water or stormwater as might be present;*
- (u) *"sewer" means a pipe or conduit for carrying sewage, groundwater, stormwater or surface runoff, and includes all sewer drains, storm sewers, clearwater sewers, storm drains and combined sewers vested in, or under the control of, the municipality;*
- (v) *"sewerage system" means all pipes, mains, equipment, buildings and structures for collecting, pumping or treatment of wastewater and operated by the Municipality, but does not include a storm sewer;*

- (w) "Standard Methods" means *Standard Methods for the examination of water and wastewater by the utilization of analytical and examination procedures provided in the edition current at the time of testing, published jointly by the American Public Health Association and the American Water Works Association or any publication by or under the authority of the Canadian Standards Association for the testing of water and waterworks to determine water quality standards;*
- (x) "storm sewer" means *a sewer that carries stormwater and surface runoff water, excluding sewage;*
- (y) "stormwater" means *water from precipitation of all kinds, and includes water from the melting of snow and ice, groundwater discharge and surface water;*
- (z) "Stormwater system" means *a method or means of carrying stormwater including, but not limited to, those ditches, swales, sewers retention ponds, streets or roads that are owned by the municipality;*
- (aa) "Suspended solids" means *the insoluble matter suspended in wastewater that is separable by laboratory filtration;*
- (ab) "Total Kjeldahl nitrogen" means *organic nitrogen;*
- (ac) "Uncontaminated water" means *potable water or any other water to which no matter has been added as a consequence of its use;*
- (ad) "Waste" means *any material discharged into the sewerage system;*
- (ae) "Wastewater" means *any liquid waste containing animal, vegetable, mineral, or chemical matter in solution or suspension carried from any premises;*
- (af) "Wastewater" means *liquid waste containing animal, vegetable, mineral or chemical matter in solution or suspension carried from any premises;*
- (ag) "Wastewater facilities" means *the structures, pipes, devices, equipment, processes or other things used, or intended, for the collection, transportation, pumping or treatment of sewage and disposal of the effluent;*

3 - Prohibited Discharges to Wastewater Facilities

- 3(1) *No person shall discharge, into wastewater facilities, sewage or wastewater which causes or may cause or results or may result in:*
- (a) *a health or safety hazard;*
 - (b) *obstructions or restrictions to the flow in the wastewater facilities;*
 - (c) *an offensive odour to emanate from wastewater facilities, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, mercaptans, carbon disulphide, other reduced sulphur compounds, amines, or ammonia in such quantity that may cause an offensive odour;*
 - (d) *damage to wastewater facilities;*
 - (e) *interference with the operation and maintenance of wastewater facilities.*
 - (f) *a restriction of the beneficial use of sludge from the municipality's wastewater facilities.*
 - (g) *effluent from municipal wastewater facilities to be in violation of any Provincial or Federal Acts or Regulations.*
- 3(2) *No person shall discharge, into wastewater facilities, sewage or wastewater with any one or more of the following characteristics:*
- (a) *a pH less than 5.5 or greater than 9.5;*
 - (b) *two or more separate liquid layers;*
 - (c) *a temperature greater than sixty five degrees Celsius.*
- 3(3) *No person shall discharge, into wastewater facilities, sewage or wastewater containing one or more of the following:*
- (a) *combustible liquid;*
 - (b) *fuel;*
 - (c) *hailed sewage or hauled wastewater, except where written permission from the municipality has been obtained;*
 - (d) *ignitable waste including but not limited to, flammable liquids, solids, and/or gases, capable of causing or contributing to explosion or supporting combustion in wastewater facilities;*
 - (e) *detergents, surface-active agents or other substances that may cause excessive foaming in the wastewater facilities;*
 - (f) *sewage containing dyes or colouring materials which pass through wastewater facilities and discolour the wastewater facility or effluent;*
 - (g) *pathological waste in any quantity;*
 - (h) *material containing polychlorinated biphenyls (PCBs);*
 - (i) *pesticides;*
 - (j) *reactive materials;*
 - (k) *radioactive substances;*
 - (l) *leachate, except where the discharger has written permission from the municipality.*
- 3(4) *No person shall discharge, into wastewater facilities, sewage or wastewater containing a concentration in excess of any of the limits set out in Table 1:*

Table 1 - Concentration Limits - Wastewater Facilities

<i>Substance</i>	<i>Milligrams Per Litre</i>
<i>Aluminum, Total</i>	<i>50</i>
<i>Antimony, Total</i>	<i>5</i>
<i>Arsenic, Total</i>	<i>1</i>
<i>Barium, Total</i>	<i>5</i>
<i>Benzene</i>	<i>0.01</i>
<i>Beryllium, Total</i>	<i>5</i>
<i>Biochemical Oxygen Demand</i>	<i>300</i>
<i>Bismuth, Total</i>	<i>5</i>
<i>Cadmium, Total</i>	<i>1</i>
<i>Chemical Oxygen Demand</i>	<i>1000</i>
<i>Chlorides</i>	<i>1500</i>
<i>Chloroform</i>	<i>0.05</i>
<i>Chromium, Total</i>	<i>2</i>
<i>Cobalt, Total</i>	<i>5</i>
<i>Copper, Total</i>	<i>1</i>
<i>Cyanide, Total</i>	<i>2</i>
<i>1,2 – Dichlorobenzene</i>	<i>0.1</i>
<i>1,4 – Dichlorobenzene</i>	<i>0.1</i>
<i>cis - 1,2 – Dichloroethylene</i>	<i>4.0</i>
<i>Trans - 1,3 – Dichloropropylene</i>	<i>0.15</i>
<i>Ethylbenzene</i>	<i>0.15</i>
<i>Fluoride</i>	<i>10</i>
<i>Iron, Total</i>	<i>50</i>
<i>Lead, Total</i>	<i>1</i>
<i>Manganese, Total</i>	<i>5</i>
<i>Mercury, Total</i>	<i>0.01</i>
<i>Methylene chloride</i>	<i>0.2</i>
<i>Molybdenum, Total</i>	<i>5</i>
<i>Nickel, Total</i>	<i>2</i>
<i>Oil & Grease - mineral or synthetic in origin</i>	<i>15</i>
<i>Oil & Grease - animal or vegetable in origin</i>	<i>150</i>
<i>o-Xylene</i>	<i>0.5</i>
<i>Phenolic Compounds (4AAP)</i>	<i>1</i>
<i>Phosphorus, Total</i>	<i>10</i>
<i>Selenium, Total</i>	<i>1</i>
<i>Silver, Total</i>	<i>2</i>
<i>Sulphates Expressed as SO₄</i>	<i>1500</i>
<i>Suspended Solids, Total</i>	<i>300</i>
<i>1,1,2,2 – Tetrachloroethane</i>	<i>1.0</i>
<i>Tetrachloroethylene</i>	<i>1.0</i>
<i>Tin, Total</i>	<i>5</i>
<i>Titanium, Total</i>	<i>5</i>
<i>Toluene</i>	<i>0.01</i>
<i>Total Kjeldahl Nitrogen</i>	<i>100</i>
<i>Trichloroethylene</i>	<i>1.0</i>
<i>Vanadium, Total</i>	<i>5</i>
<i>Xylenes, Total</i>	<i>1.5</i>
<i>Zinc, Total</i>	<i>2</i>

* A reference to "Total" in this table denotes total concentrations of all forms of the metal and ion including both particulate and dissolved species.

3(5) *No person shall discharge, into wastewater facilities sewage or wastewater under circumstances where water has been added for the purpose of dilution to achieve compliance with Sections 3(2) and 3(4).*

3(6) *No person shall discharge cooling water or uncontaminated water to wastewater facilities unless the discharge has been permitted by the municipality.*

4 - Discharge to Stormwater System

4 (1) *Except as otherwise provided in this By-law, no person shall discharge, release, place or cause to be placed, any substance other than stormwater or uncontaminated water into a storm sewer.*

5 - Grease, Oil, Sediment, Sand Traps or Interceptors

5(1) *Grease, oil, sediment and sand traps or interceptors shall be installed in all food service establishments or operations, vehicle service facilities, and car or truck washes when, in the opinion of the municipality, such a device is necessary for the proper handling and control of wastewater being discharged to the municipal wastewater facilities.*

5(2) *Traps or interceptors shall be installed such that they are easily accessible for all aspects of cleaning and inspection.*

5(3) *Traps or interceptors shall be maintained by the owner or operator in a condition of continuous efficient operation at the owner's expense.*

5(4) *No retained or trapped oil, grease, sediment, sand, silt or other matter in any form shall be allowed to pass from the installed trap or interceptor into the wastewater facilities: removal of retained or trapped materials shall be achieved by pumping or other physical means and shall be hauled away and disposed of as required by law.*

5(5) *Whenever an inspection of an installed trap or interceptor results in a written notice for action on the part of the person(s) responsible for the installed device, such action shall be completed within the compliance period granted by the written notice.*

5(6) *The owner or operator of an establishment shall provide the municipality, upon request, with the frequency of inspection and maintenance of any installed grease, oil, sediment and sand traps or interceptors as well as information as to the disposal method employed and location of hauled waste material.*

5(7) *Any reasonable request for inspection by the municipality shall be granted by the owner or operator of the establishment.*

6 - Reporting Requirements

6(1) *No industrial, commercial or institutional discharger shall discharge sewage, wastewater, cooling water, uncontaminated water or any combination thereof, to wastewater facilities without first submitting to the Engineer of the municipality the following completed reports:*

- (a) *the "Short Version of the Discharger Information Report" attached as Form 1; and*
- (b) *the "Complete Discharger Information Report" attached as Form 2 where, in the opinion of the Engineer, the discharge may have a significant impact on the wastewater facilities, and the municipality has notified the discharger that completion of the report is required; or where the discharger has or requires an extra strength or large volume surcharge agreement with the municipality.*

6(2) *If a discharger has been discharging to wastewater facilities prior to the enactment of this by-law, the discharger shall comply with the requirements set out in subsection 6(1) within 30 days of receipt of written notice from the Engineer.*

6(3) *The discharger shall provide written notification to the municipality of any changes to the information filed pursuant to subsections 6(1) and 6(2) within 60 days of the change.*

7 - Discharger Self-Monitoring

7(1) *The discharger shall undertake the monitoring or sampling of any discharge to the wastewater facilities as may be required by the Engineer, and provide the results in accordance with written notice from the Engineer.*

7(2) *The obligations set out in or arising out of subsection 7(1) shall be completed at the expense of the discharger.*

8 - Extra Strength and Volume Surcharge Agreement

- 8(1) *Where large volumes of sewage, extra strength sewage or wastewater is discharged to wastewater facilities, the municipality may enter into a surcharge agreement with a discharger permitting exceedances of the limits set out in subsection 3(4), including, but not limited to, any one or more of the following:*
- (a) *biochemical oxygen demand;*
 - (b) *solvent extractables - animal or vegetable in origin;*
 - (c) *total kjeldahl nitrogen;*
 - (d) *phosphorous, total;*
 - (e) *suspended solids, total; or*
 - (f) *large volumes.*
- 8(2) *The agreement may include terms and conditions under which the discharge is permitted and the method by which the municipality shall recover costs incurred by the pumping and treatment of the wastewater.*
- 8(3) *During the term of the agreement, the discharger shall be exempt from meeting the limits set out in subsection 3(4) for the parameter(s) included in the agreement, if all conditions stipulated in the agreement are met.*
- 8(4) *Notwithstanding Section 8(1), where a discharger has entered into an extra strength surcharge or large volume agreement, any anticipated change in the information provided pursuant to Section 5 must be submitted to the municipality prior to the change to allow an assessment of the impact of the change on the agreement.*
- 8(5) *The municipality may terminate the agreement at any time and the termination shall be effective within 30 days of the delivery of a written notice to the discharger's site or head office.*

9 - Compliance Agreement

- 9(1) *Where the discharger, at the coming into force of this by-law, is out of compliance with one or more conditions in Section 3, the municipality may enter into a compliance agreement with a discharger to provide a plan for achieving compliance with the by-law within a specified time.*
- 9(2) *The agreement shall:*
- (a) *be for a fixed term;*
 - (b) *contain reporting requirements to the Engineer on significant stages in the progress towards compliance as determined by the municipality; and*
 - (c) *include a maximum interim limit for the parameter or parameters covered by the agreement.*
- 9(3) *During the term of the compliance agreement, the discharger shall be exempt from those parts of Section 3 specified in the compliance agreement provided that all of the conditions of the agreement are met by the discharger prior to the expiry of the agreement.*
- 9(4) *The agreement may be terminated with 48 hours notice by the municipality at any time where the terms and conditions of the agreement are not being met.*

10 - Sampling and Analytical Requirements

- 10(1) *Where the Engineer determines that monitoring of any discharge to the wastewater facilities is required, the owner or operator of industrial, commercial or institutional premises may be required to monitor, analyse, and report to the Engineer the results of the monitoring program at the owner's expense.*
- 10(2) *The Engineer may specify specific time periods for collection of samples and analytical requirements based on practices of the business, as required.*
- 10(3) *The Engineer may from time to time enter any premises and conduct such tests as deemed necessary.*
- 10(4) *All tests, measurements, analyses and sample handling shall be carried out in accordance with "Standard Methods" and by a laboratory certified by the Canadian Association of Environmental Laboratories.*

11 - Control Service Access

- 11(1) *The Engineer may require the installation of a control service access or the upgrading of an existing control service access, for each connection to the wastewater facilities for the purpose of monitoring or sampling discharges.*
- 11(2) *A control service access required under subsection 11(1) shall be:*
- (a) *located on the property of the discharger unless the municipality permits an alternative location;*
 - (b) *constructed and maintained at the expense of the discharger;*
 - (c) *accessible at all times by the municipality;*
 - (d) *constructed in a manner which meets the standards of the municipality; and*
 - (e) *maintained to ensure access and structural integrity.*

12 – General

12.1 For the purpose of the administration of this By-law, the Inspector may, upon production of his identification, enter any industrial premises and have free unimpaired access, to observe, to measure the flow of wastewater to any sewer and to collect any samples required at reasonable times upon reasonable notice.

12.2 No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:

- (a) any part of the sewerage system or storm sewer system; or
- (b) any permanent or temporary device installed in the sewerage system or storm sewer system for the purpose of measuring, sampling and testing of wastewater.

12.3 No work shall be carried out on any sewer other than by the authority of the Municipal Engineer.

12.4 The Council shall have the power to stop and close up and prevent from discharging into the sewerage system, any private sewer or drain through which substances are discharged or into which substances are thrown, deposited, or supposed to be put, prohibited by this By-law or which are liable to injure the sewers or obstruct the flow of sewage.

12.5 The Council shall not cause any sewer to be closed up pursuant to this subsection unless the owner of the sewer is first notified and given an opportunity to be heard by the Council.

13 – Installations

The Town shall provide all installations required for the connections within the rights-of-way of the Town streets when:

- (a) the owner pays the connection charge provided in Section 17 hereof, and
- (b) the property fronts on a street in which there is a sewer.

14 – Old Sewers

Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Town, to meet all requirements of this By-law.

15 – Requirements

15(1) Size, slope, alignment, materials of constructions of the building sewer and the methods to be used in excavating, placing the pipe, jointing, testing, backfilling the trench and the connection to the public sewer, shall all conform to the requirements of the Town, as they may exist at the time of installation.

15(2) All building sewers shall incorporate an effective backwater valve.

16 – Elevation

16 (1) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor.

- (2) In all buildings in which the building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drains shall be lifted by an approved means and discharged to the building sewer.

17 – Fees

The owner of every property fronting on any street in which there is a public sewer and which has been or may hereafter be connected with a public sewer by a building service connection from said house, shall pay to the Town Seven Hundred Fifty Dollars (\$750.00) for one connection and an additional Two Hundred Fifty Dollars (\$250.00) if storm water sewer connection is done at the same time as the sanitary sewer connection.

18 – Penalty

18(1) Any person who contravenes any provision of this by-law shall be liable upon summary conviction for every such offence to a penalty of not less than five hundred dollars (\$500.00) and not exceeding fifty thousand dollars (\$50,000.00) or in default of payment, to imprisonment for a term not exceeding ninety days and each day that the offence continues shall constitute a new offence.

18(2) Any person alleged to have violated this bylaw, who is given notice of the alleged violation and where the said notice so provides for payment, may pay a penalty in the amount of \$500.00 to the TOWN OF AMHERST provided that said payment is made within a period of 14 days following the day on which the alleged violation was committed, and said

payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for said violation.

19 - Repeal of By-laws, Regulations and Ordinances

19(1) Town of Amherst By-Law D-3 Respecting Wastewater Discharge is hereby repealed

6. First Reading, By-Law to Amend the Sewer Use By-Law, D-3 (A-1)

Moved by Councillor Fawthrop, seconded by Deputy Mayor March that Council approve First Reading of the By-Law to Amend the Sewer Use By-Law, D-3(A-1)

MOTION CARRIED

**A BY-LAW to AMEND the SEWER USE BY-LAW, D-3
RESPECTING DISCHARGE INTO PUBLIC SEWERS**

Definition (4) Stormwater is amended to read as follows:

- (y) "Stormwater" means water from precipitation of all kinds, and includes water from the melting of snow and ice, groundwater discharge and surface water that meets the pollution limits of Table 1 Section 3-4.

New Section 3(7)

- 3(7) Compliance with any limit is not attainable by dilution.

New Section 6 – Spills

- 6(1) Every person who discharges, deposits, causes or permits the discharge or deposit of any matter in any sewer that in nature or quantity is not in the ordinary course of events shall forthwith notify the Municipality.

- 6(2) For any discharge in Subsection 6(1) the information with the notification shall include:

- (a) Name of Company and civic address of the spill;
- (b) Name of the person, including contact numbers, reporting the event;
- (c) Particulars on the spill;
 - a. Time
 - b. Type and volume of the material discharged
 - c. Potential hazard of the material discharged
 - d. Corrective actions being taken to control the spill

- 6(3) Within 5 days of the spill a detailed report describing the cause and actions taken is to be submitted to the Municipality. The report shall include preventative and corrective actions to prevent a recurrence.

New Section 9(6)

- 9(6) As part of the agreement the municipality may require the discharger provide a Control Service Access as outlined in Section 11 of this By-law.

New Section 10(5)

- 10(5) As part of the agreement the municipality may require the discharger provide a Control Service Access as outlined in Section 11 of this By-law.

Deleted Section 15 – Old Sewers

Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Town to meeting all requirements of this by-law.

7. Variance Appeal – 28 South Albion Street

Moved by Councillor Baker, seconded by Councillor Fawthrop that Council grant a 8.24 square metre (90 square foot) variance to permit a 83.24 square metre (896 square foot) garage on property located at 28 South Albion Street.

MOTION CARRIED

8. Proposed Policy: Grants to Organizations, Number 211-34

Moved by Deputy Mayor March, seconded by Councillor Rhindress that Council adopt the new GRANTS TO ORGANIZATIONS POLICY, Number 211-34.

MOTION CARRIED

TOWN OF AMHERST POLICY NUMBER 211-33 GRANTS TO ORGANIZATIONS

POLICY STATEMENT

- 1. The Town of Amherst Council directs the operation of the Town through its approved policies. Every year the Town receives more grant requests than it can fund. The purpose of this policy is to establish equitable guidelines for the distribution of limited amounts of funds to non-profit and charitable organizations in the community in a manner approved by Council. It is not the intent of this policy to fund activities of organizations that are clearly within the mandate of the Government of Nova Scotia or the Government of Canada (e.g. health, social services, housing).
- 2. This program does not govern the following, which are separately administered:
 - * Tax Exemption for Non-Profit Organizations (full and partial tax exemption by-laws);
 - * Residential Property Tax Rebates (low-income homeowners).

AUTHORITY

- 3. Authority is provided under Section 65, *Municipal Government Act*, as amended.

APPLICATIONS FOR ASSISTANCE

- 4. All grant applications shall normally be submitted on the form provided by the Town. The Town of Amherst will not consider requests received as part of general (mass) mailing or telemarketing campaigns.

Preference will be given to organizations that demonstrate community support, efficient use of resources, sound business practices and develop volunteer knowledge, skills and self-reliance. Funding will not normally be provided to social services, health or similar agencies.

Funding will also not normally be provided to fund raising campaigns of national charitable organizations.

The **deadline for grant applications** is **March 1st** and late applications shall only be reviewed after applications received by the deadline have been processed.

POLICY COMPONENTS

5. A) Support Grants – Community Based Organizations

The current financial support to Autumn House will be continued. While the intent of the policy is not to fund social service type organizations, support to this project will be continued. Further applications requesting financial assistance in this category will not be considered.

B) Community Recreation and Culture Grants and Assistance

- (1) Indirect Recreation Programming Support (through reduced rental rates for Town-owned facilities):

- (a) Amounts may be appropriated under this program only when the organization meets all the criteria in section 6 of this policy **and** it provides an organized recreational opportunity through an organization recognized and registered with its relevant provincial umbrella (e.g. Hockey Nova Scotia).

- (b) Support currently provided to the following organizations will be continued:
 - Cumberland County Minor Hockey Association
 - Amherst Skating Club.

(2) Direct Recreation Programming Support

(a) Amounts may be appropriated under this program only when the organization meets all of the criteria in section 6 of this policy **and** it provides an organized recreational opportunity through an organization recognized and registered with its relevant provincial umbrella organization.

(b) Support currently provided to the following organizations will be continued:

- Fundy Youth Soccer Association (assistance directed to the payment of property taxes on the Church Street soccer complex).

(3) Community Based Arts (e.g. visual, performing and literary arts)(4) Financial Assistance to National and Provincial Competition Representatives

Amounts may be appropriated under this program only when the team or individual applying meets all the following criteria: The team/individual has been successful at a regional qualifying competition recognized by its relevant provincial or national umbrella organization (e.g. Hockey Nova Scotia or Skate Canada).

GENERAL CONDITIONS

6. A) Applications received after the March 1st deadline are considered late. Late applications are reviewed only after the regular review. Each year the Town receives more applications than it can fund, so it is important for applications to be on time and contain the correct information.
- B) Awards are announced after the Town's budget has been approved (usually in May).
- C) An applicant must be a registered non-profit organization or charitable society. Part of the review process includes confirmation of registration by municipal staff.
- D) Only one application per organization can be submitted in each funding year.
- E) Grants are not awarded for salary/wages of staff positions or board honoraria.
- F) Grant applications should be able to demonstrate active fundraising efforts to support the continuation of a program, project or service.
- G) Grants may be awarded with certain terms and conditions. The letter of award will state if any particular restrictions apply to the grant. Funding may be revoked for failure to comply with terms and conditions.
- H) Awards may be issued in full (the usual practice) or can be paid in instalments. The letter of award will state if a holdback applies to the grant.
- I) In rare circumstances, an applicant's eligibility may be suspended for a specified time period for misappropriation of funds, failure to report, or misrepresentation.
- J) At the end of a project or the organization's year-end, grant recipients must submit a report and/or financial statement to the Town.

9. CJSMA Budget

Moved by Councillor Rhindress, seconded by Councillor Fawthrop that Council approve the CJSMA budget for the 2005-2006 fiscal year as presented.

MOTION CARRIED

4. ADDITIONAL ITEMS**5. INFORMATION ITEMS**

1. **Planning and Development Department** Report given by Councillor Baker
2. **Corporate Services Department** Report given by Deputy Mayor March
3. **Operational Services Department** Report given by Councillor Fawthrop
4. **Police Department** Report given by Deputy Mayor March

- 5. **Fire Department** Report given by Councillor Rhindress
- 6. **Community & Economic Development Department** Report given by Councillor Fawthrop
- 7. **Mayor's Report**

Mayor Hallee extended regrets on behalf of Councillors Chitty and Angel, both of whom are out of town. He announced that Dr. Oung would be making a presentation on surgical services in the Amherst area at the Trinity St. Stephen United Church on March 30, and encouraged anyone interested to attend.

6. ADJOURNMENT

On motion by Councillor Chitty, the meeting adjourned at 7:55 p.m.

APPROVED:

E. Childs, Town Manager

Jerry Hallee, Mayor

AGENDA – March 29, 2005

1.	PUBLIC HEARING 1. Heritage De-Registration Request, 10 Rupert Street
2.	CALL TO ORDER
3.	BUSINESS ITEMS 1. Additions to Agenda 2. Approval of Agenda 3. Approval of Minutes (February 21, 2005 Regular Meeting) 4. Second Reading: Maintenance of Grass By-Law, D-21 5. Second Reading: Sewer Use By-Law, D-3 6. First Reading, By-Law to Amend the Sewer Use By-Law 7. Variance Appeal – 28 South Albion Street 8. Proposed Policy: Grants to Organizations 9. CJSMA Budget
4.	ADDITIONAL ITEMS
5.	INFORMATION ITEMS 1. Planning and Development Department Report 2. Corporate Services Department Report 3. Operational Services Department Report 4. Police Department Report 5. Fire Department Report 6. Community and Economic Development Department Report
6.	ADJOURNMENT