

REGULAR MEETING #13

September 1, 2015

A Regular Meeting of Council convened in the Council Chambers at 7:00 p.m. in the presence of Deputy Mayor Steve Tessier, Councillors, Acting Chief Administrative Officer, Gail Pomroy, Director of Planning and Development, Elaine Mitchell, Director of Finance, Liz Davis, Director of Economic Development, Jennifer Lake, Director of Engineering and Public Works, Jennifer Manuel and Administrative Assistant, Tracey Lambert.

1. ADOPTION OF AGENDA AND MINUTES

a. Adoption of meeting agenda of September 1, 2015

Resolution #15-306
Councillor Youden/Councillor Rowe

Be it so resolved that the agenda of the meeting of September 1, 2015 be adopted as presented.

- carried unanimously

b. Adoption of minutes of meeting of August 11, 2015

Resolution #15-307
Councillor Connors /Councillor Tilley

Be it so resolved that the minutes of the meeting of August 11, 2015 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

a. Single Parent Association (SPAN)

Mayor Tessier presented the proceeds of the outdoor movie held during the Kelligrews Soiree 2015 to the Single Parent Association. Single Parent Association of Newfoundland Representative, Elaine Balsom was in attendance. Also in attendance for the presentation were members of the Youth Advisory Council, Emily Lockyer, Karissa Haines and Sarah Manning.

b. Arthritis Awareness Month

Mayor Tessier proclaimed the month of September as Arthritis Awareness Month in the Town of Conception Bay South.

**4. RECOMMENDATIONS OF PLANNING & DEVELOPMENT COMMITTEE
(Chair, Councillor Beverley Rowe)**

Presentation of recommendations of meeting held August 24, 2015

1. Accessory Building - 38 Chaytors Road, Chamberlains

**Resolution #15-308
Councillor Rowe/Councillor Murphy**

Be it so resolved that an application to construct an accessory building at 38 Chaytors Road be denied, as it is in contravention of Section 5.34 of the Town's Development Regulations.

- 7 yeas
- 1 nay (Bent)
- motion carried

2. Development Proposal - Concrete Batch Plant, Barley Road, Chamberlains

**Resolution #15-309
Councillor Rowe/Councillor George**

Be it so resolved that application for the construction and operation of a concrete batch plant at 80-88 Hops Street in the Industrial Park be approved subject to compliance with the Town's Development Regulations

and Engineering Standards and the Department of Environment and Conservation Code of Practice for Concrete Batch Plant Operations.

- carried unanimously

3. Quarry Application – Twenty Acre Marsh, Upper Gullies

Resolution #15-310
Councillor Rowe/Councillor Connors

Be it so resolved that the Town indicate no objection to the proposed extension of the quarry site at 20 Acre March, Seal Cove.

- carried unanimously

4. Traffic Regulations

Resolution #15-311
Councillor Rowe/Councillor Tilley

Be it so resolved that the Traffic Regulations be adopted as presented.

- carried unanimously

TRAFFIC REGULATIONS

1. TITLE

These Regulations shall be known and cited as "The Town of Conception Bay South Traffic Regulations."

2. DEFINITIIONS

In these Regulations, the following words, unless the context otherwise requires, shall have the following meanings:

- (a) "Bus" means a motor vehicle designed or used for the transportation of passengers with a seating capacity of 10 or more in addition to the driver, but excluding those motor vehicles when used for personal transportation by the owner or with the owner's permission.

- (b) "Commercial Motor Vehicle" means a vehicle designated to carry goods and persons and includes a bus, a school bus, a truck (excluding vehicles 1 ¼ tones and under), a truck trailer and other motor vehicles designed for commercial use but does not include camper type vehicles designed or adopted exclusively for recreational purposes.
- (c) "Council" means the Town Council of Conception Bay South.
- (d) "Crosswalk" means:
 - (i) Any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface; or
 - (ii) The part of a roadway at an intersection that is included within the connection of the lateral lines of the sidewalks of the opposite sides of a highway, measured from the curbs, or in the absence of curbs, from the edge of the roadway.
- (e) "Driveway" means a clearly defined private roadway, path or passage or a like opening or space which is wide enough, but not wider than is necessary for the passage of a motor vehicle, whereby the owner, occupier or user of property has vehicular access from the roadway to a point within the property.
- (f) "Emergency Vehicle" means:
 - (i) A motor vehicle driven by a constable or by a member of the police branch of any of Her Majesty's Armed Forces or a peace officer being a member of the Royal Newfoundland Constabulary or the Royal Canadian Mounted Police where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in these Regulations;
 - (ii) A motor vehicle carrying firefighting equipment in responding to an alarm of fire;
 - (iii) An ambulance responding to a call or transporting a patient where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in these Regulations; or
 - (iv) A motor vehicle where there is an urgent emergency.

- (g) "Highway" means a place or way, including a structure forming part of the place or way, designed and intended for, or used by the public for the passage of traffic and includes all the space between the boundary lines of the place or way.
- (h) "Intersection" means the area enclosed within the prolongation or connection of the lateral curb lines or if there are no curb lines, the lateral boundary lines of two or more highways that join one another at an angle, whether or not one of the highways cross the other.
- (i) "Motor Vehicle" means a vehicle propelled, driven or controlled otherwise than by muscular power, other than a trailer or a vehicle running on fixed rails.
- (j) "Municipal Enforcement Officer" means for the purpose of these Regulations a person appointed as a Municipal Enforcement Officer under section 179 (1) of *Municipalities Act, M-24, RSN 1999*.
- (k) "Operator" means a person driving a motor vehicle on a highway or who has the care or control of the motor vehicle on a highway whether in motion or not.
- (l) "Owner" means:
 - (i) The person who holds the legal title to a vehicle; or
 - (ii) In the case of a vehicle that is registered, the person in whose name it is registered.
- (m) "Park" means to permit a vehicle whether occupied or not, to stand otherwise than temporarily for the immediate purpose of and while actually engaged in loading or unloading goods or taking up or setting down passengers or in obedience to traffic Regulations or traffic signs or the direction of a traffic officer.
- (n) "Peace Officer" means a member of the Royal Newfoundland Constabulary, the Royal Canadian Mounted Police, or a park warden appointed under the *Public Service Employment Act (Canada)* who is stationed in the province.
- (o) "Pedestrian" means a person on foot, a handicapped person in a wheelchair, or a child in a carriage or on a sleigh being pushed or pulled.

- (p) "Persons" means any persons, firm, partnership, association, corporation, or any organization of any kind.
- (q) "Regulations" means Conception Bay South Traffic Regulations made under the authority of the *Highway Traffic Act* and amendments and the *Municipalities Act* and amendments.
- (r) "Roadway" means a portion of a highway that is improved, designed, or ordinarily used for vehicular traffic, but does not include the shoulder unless the shoulder is paved, and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.
- (s) "School bus" means a motor vehicle:
 - (i) Designed or used to carry 7 or more passengers, in addition to the driver;
 - (ii) Owned, operated by or contracted to a school board or agent of a school board; and
 - (iii) Used to transport children to or from school or to and from places other than school for the purpose of school related activities.
- (t) "Sidewalk" means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines set apart for the use of pedestrians and includes any part of a highway set apart or marked as being for the exclusive or intended use of pedestrians and is considered to include an area of a highway lying between the curb lines or the lateral lines of a roadway and that portion of a highway set apart for the use of pedestrians.
- (u) "Stop" when required means the complete cessation of movement.
- (v) "Stop" or "Stand" when prohibited means any stopping or standing of a vehicle whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the direction of a traffic officer or traffic control device or signal.
- (w) "Town" means the Town of Conception Bay South.

- (x) "Traffic" includes vehicles, pedestrians and animals while using a highway for the purpose of travel.
- (y) "Traffic Officer" means any person appointed by Council to enforce these Regulations, including a Municipal Enforcement Officer.
- (z) "Traffic Sign" includes all traffic control signals, warning sign posts, direction posts, signs, lines, marks or other devices for the guidance or persons using highways.
- (aa) "Vehicle" means a device in, upon or by which a person or property may be transported or driven upon a highway.

3. COUNCIL AUTHORITY

- (a) The Council may cause or permit traffic lights or signs to be placed on or near any highway within the limits of the Town.
- (b) Traffic lights or signs erected or authorized under subsection (1) of these Regulations may be signs for any of the following purposes;
 - (i) To regulate the movement of traffic;
 - (ii) To indicate the route to be followed by traffic;
 - (iii) To restrict or prohibit the use of any part of any highway, other than a main highway designed as such by the Minister of Transportation and Works, within the limits of the Town;
 - (iv) To indicate maximum speed limits in any area or on any part of any highway within the limits of the Town, so that vehicles driven in excess of such speed shall be taken to have failed to conform to the indication given by the sign;
 - (v) To restrict or prohibit the parking of vehicles in any area or on any part of any highway within the limits of the Town;
 - (vi) To restrict or prohibit temporarily the use of any highway, other than a main highway designated as such by the Minister of Transportation and Works, or any part of any highway within the limits of the Town, whenever, owing to the likelihood of danger to the public or serious damage to the highway, it appears to the Council to be necessary; and to limit the loads of vehicles owing to the condition of the

highway if the Council deems it necessary, provided that the traffic lights or signs shall not apply to any person granted a permit in writing by the Council to use the highway in case of an emergency;

- (vii) To warn users of the highway of the need for special caution;
 - (viii) To convey information to users of the highway within the limits of the Town;
 - (ix) To set out proper pedestrian crossing on any highway within the limits of the town; and
 - (x) To restrict or reserve specific parking spaces for the sole use of disabled person.
- (c) Any person who fails to comply with the directions, restrictions, prohibitions, or warnings given by traffic lights or signs erected in accordance with these Regulations shall be guilty of an offence against these Regulations.

4. PARKING OFFENCES

No person shall stop, stand or park a vehicle on a highway so that the vehicle or any part of it is:

- (i) On a sidewalk or an area generally used by or intended for use by pedestrians;
- (ii) In front of a public or private driveway or in front of an authorized loading door designated as such;
- (iii) Within 6 metres of an intersection;
- (iv) Within 5 metres from any fire hydrant;
- (v) Within a crosswalk;
- (vi) Within 6 metres of the approach side of a crosswalk;
- (vii) Within 8 metres upon the approach to any flashing beacon, stop sign, or traffic-control sign or signal located at any side of a roadway;

- (viii) Within 6 metres either side of the entrance to or exit from a hotel, church, school, public meeting place, theatre, dance hall or playground;
- (ix) Within a distance of 20 metres from a bus stop erected under these Regulations, except where otherwise provided by a sign erected under these Regulations;
- (x) Within 6 metres of a driveway entrance to a fire station;
- (xi) Alongside or opposite a street excavation or obstruction when stopping, standing or parking obstructs traffic;
- (xii) In a place in contravention of a traffic control device that gives notice that stopping, standing or parking is there prohibited or restricted;
- (xiii) Parked on the left side of the highway in the direction it is heading, excepting where such parking is designated by proper signs erected by Council;
- (xiv) Within 150 metres of any site where a fire is in progress unless permission has been obtained from a police constable, excepting a fire engine, ambulance, clergy car, police car, medical doctor's car or nurse's car;
- (xv) Parked in such a manner as to interfere with, hinder or obstruct the normal flow of traffic;
- (xvi) Parked on highway property between the curb or edge or the roadway and the boundary line of the highway;
- (xvii) On any property classified as an easement or upon which Council grants a permit;
- (xviii) For the purpose of displaying the vehicle for sale;
- (xix) For the purpose of washing, greasing or repairing the vehicle, except for such repairs as have been necessitated by an emergency;
- (xx) Parked in an area designated as a parking space for disabled persons only.

No person shall double park any motor vehicle on any highway within the limits of the Town.

No person shall park or stop any vehicle on any roadway unless on the right hand side of the roadway having regard to the direction in which the vehicle was proceeding with the right front and rear wheels parallel to and not more than thirty (30) centimeters from the curb where there is a raised curb, or where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near the right hand limit of the roadway as is practical without stopping or parking over a sidewalk or footpath or over any part of the road where grass is grown or which is not intended for the use of vehicles.

No person shall stand, stop or park or drive a vehicle upon any highway or public area within the Town in contravention to any signs that may be posted by Council.

5. COMMERCIAL VEHICLES OFFENCES

- (a) The Council is hereby authorized to determine and designate these streets in the Town, which shall be used by commercial motor vehicles.
- (b) These Regulations shall not prohibit:
 - (i) The operation of commercial motor vehicles upon any street where necessary to the conduct of business at a destination point, provided that streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point;
 - (ii) The operation of an emergency vehicle upon any street in the Town;
 - (iii) The operation of commercial motor vehicle owned or operated by the Town, Public Utilities or any contractor engaged in the repair, delivery of materials, maintenance or construction of streets, street improvements, or street utilities within the Town of Conception Bay South; or
 - (iv) The operation of commercial motor vehicles upon any officially established detour in the Town of Conception Bay South.

- (c) No person shall park any commercial motor vehicle in any residential zone in the Town of Conception Bay South, unless a permit for the parking has been issued by the Council in conformity with the Conception Bay South Commercial Motor Vehicle Regulations.
- (d) An application for a permit to park any commercial motor vehicle in any residential zone shall be made to the Council in such form as prescribed by the Council and every applicant for a permit shall furnish with the application such information as Council may require.
- (e) The Council shall attach to the permit such conditions as it deems fit for the parking of any commercial motor vehicle in a residential zone and may permit parking for such limited time as it deems fit.
- (f) The driver of a commercial vehicle loading or unloading freight within the Town shall, if possible, place such vehicle off the highway into some private parking space; where no alternative loading or unloading point exists, place such vehicles as near as possible to the curb or side of the highway and load or unload as quickly as possible, but in no case shall a driver place a commercial vehicle in such a position as to excessively hinder or obstruct the normal flow of traffic either vehicular or pedestrian.

6. SNOW CLEARING

- (a) No person shall park any unattended motor vehicle on any highway or municipal parking area in such a way as to interfere with, hinder or obstruct snowclearing operations.
- (b) During the period from the first day of December in each year to the last day of April in the succeeding year, both days inclusive, no person shall park an unattended vehicle(s), regardless of weather conditions, upon any highway within the Town of Conception Bay South between the hours of 12 midnight and 10:00 a.m.
- (c) Any motor vehicle parked contrary to Regulation 6 (a) or (b) may be towed away by Council or their representatives, at the owner's risk and expense, to a place selected by the Council or person so authorized.

No person shall deposit or cause or permit to be deposited any snow and/or ice from driveways, sidewalks, parking lots or any other property,

under their ownership or control, onto any street or road reservation within the Town.

7. OTHER LIMITATIONS

- (a) No structure, object or vehicle, other than a vehicle licensed under the *Highway Traffic Act*, shall move over a highway or bridge, within the Town except with the written approval of Council.
- (b) Notwithstanding subsection (1), no vehicle that is propelled over tracks or other device, other than tires, shall move over a highway or bridge, within the Town except with the written approval of Council.

8. ABANDONED VEHICLES

- (a) When a vehicle:
 - (i) Is standing, stopped or parked upon a highway within the Town limits or bridge in such a position that it may;
 - (1) Interfere with the pedestrian or vehicular traffic;
 - (2) Constitute a hindrance to the maintenance, repair or improvement thereof;
 - (3) Hinder or impede the ploughing of or removal of snow or ice therefrom; or
 - (4) Hinder or impede the carrying out of any undertaking of the Council; or
 - (ii) Has been apparently abandoned upon a highway within the Town limits, sidewalk or bridge for longer than twenty-four (24) hours; or
 - (iii) Has been left unattended upon any highway within the Town limits, sidewalk or bridge in contravention of these Regulations,

The Council or any person authorized for the purpose by the Council may remove that vehicle, at the owner's risk and expense, to a place selected by the Council or person so authorized.

- (b) The Council may dispose of any vehicle removed and stored under these Regulations, by Public Sale or Auction, if the vehicle is not claimed within ninety (90) days of removal and storage.
- (c) Prior to the return of the vehicle to its owner, the owner shall pay the costs of its removal and storage as determined by the Council and where such costs are not paid by the owner, the council may sell the vehicle on Public Sale or Auction to satisfy such costs upon notice to the owner, including the costs, if any, of or incidental to the Public Sale or Auction.

9. ANTI LITTER OFFENCES

- (a) A person shall not throw or deposit or cause to be thrown, deposited or left on a highway, glass, nails, tacks scraps of metal or other material, rubbish, refuse or waste which may injure tires of vehicles.
- (b) A person who removes a wrecked or damaged vehicle from a highway shall remove glass or any injurious substance or thing dropped upon the highway from the vehicle.
- (c) No person shall place any object or structure (including objects or structures used for street sports), on any street which interferes with the flow of traffic. Any object or structure so placed may be removed by any person authorized by Council, at the owner's expense.

10. OFFENCE

Notwithstanding Section 5 of the *Provincial Offence Act*, any person who violates any of the provisions of these Regulations, shall be guilty of an offence and shall be liable on summary conviction to a fine of not more than the maximum and not less than the minimum amount as prescribed for the offence in Schedule "A" to these Regulations and appearing in that Schedule opposite the number or letter or both of the Regulations, subsection or paragraph.

11. APPLICATION

- (a) No person other than a Peace Officer may use emergency lights on his or her vehicle to stop a moving vehicle that is engaged in the commission of an offence under these regulations to apprehend an offender.
- (b) Subject to subsection 11 (a), a Peace Officer, a Municipal Enforcement Officer or a Traffic Officer may enforce these Regulations.

12. REPEAL OF PREVIOUS REGULATIONS AND AMENDMENTS

All previous Town of Conception Bay South Traffic Regulations and amendments are repealed.

13. COMPLIANCE WITH OTHER ACTS AND REGULATIONS

Nothing in these Regulations serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other regulation of the Town or any statute or regulation of the Province of Newfoundland and Labrador, and in such cases where more than one regulation or statute applies the more restrictive regulation or statute shall apply.

14. EFFECTIVE DATE

These Regulations shall come into force on 2 day of September, 2015.

**SCHEDULE A
Town of Conception Bay South
Schedule of Fines**

section	subsection		offence	fine
4	(a)	(i)	Parking on sidewalk	\$50.00
		(ii)	Parking in front of public or private driveway	\$50.00
		(iii)	Parking within 6 metres of intersection	\$50.00
		(iv)	Parking within 5 metres of fire hydrant	\$50.00

		(v)	Parking within a crosswalk	\$100.00
		(vi)	Parking within 6 metres of a crosswalk	\$50.00
		(vii)	Parking within 8 metres of a traffic control device	\$50.00
		(viii)	Parking within 6 metres of an entrance or exit to hotel, church, school, public meeting place, theatre, dance hall or playground	\$50.00
		(ix)	Parking within 20 metres of a bus stop	\$50.00
		(x)	Parking within 6 metres of a fire station	\$50.00
		(xi)	Parking opposite or beside a street excavation	\$50.00
		(xii)	Parking contrary to signs	\$100.00
		(xiii)	Parking on left side of highway	\$50.00
		(xiv)	Parking within 150 metres of the site of a fire	\$50.00
		(xv)	Parking as to obstruct traffic	\$50.00
		(xvi)	Parking on highway property outside curb	\$50.00
		(xvii)	Parking on property classified as easement	\$50.00
		(xviii)	Parking on highway to display vehicle for sale	\$50.00
		(xix)	Parking on highway for repairs	\$50.00
		(xx)	Parking in area for disabled persons	\$400.00
	(b)		Double Parking	\$50.00
	(c)		Parking away from the curb	\$50.00
	(d)		Stop stand or park in area prohibited by signs	\$30.00
5	(c)		Commercial motor vehicles parking in residential zones without a permit	\$100.00
6	(a)		Parking so as to obstruct snow clearing	\$50.00
	(b)		Parking on a highway or municipal parking area	\$50.00

			between 12 midnight and 10:00 am	
	(d)		Depositing snow on a street or road reservation	\$50.00
7	(a)		Movement of structure, object or vehicle not licensed under the <i>Highway Traffic Act</i> without Council approval.	\$50.00
	(b)		Movement of vehicle not on tires without approval of Council	\$50.00
9	(a)		Throwing injurious materials or rubbish on highway	\$50.00
	(b)		Failure to remove glass injurious substance dropped upon the highway from a wrecked vehicle	\$50.00
	(c)		Placing object or structure on a street	\$50.00

5. Animal Control Regulations

Resolution #15-312
Councillor Rowe/Councillor Bent

Be it so resolved that the Animal Control Regulations be adopted as presented.

ANIMAL CONTROL REGULATIONS

1. TITLE

These Regulations may be cited as the “Town of Conception Bay South Animal Control Regulations”.

2. INTERPRETATION

In these Regulations:

- (a) **“Regulations”** means the Town of Conception Bay South Animal Control Regulations.

- (b) **“Act”** means the *Municipalities Act, 1999*.
- (c) **“Animal”** means any living animal including any mammal, bird, reptile or amphibian including a dog or cat.
- (d) **“Animal Health and Protection Act”** means the *Animal Health and Protection Act* and the *Animal Protection Regulations, Animal Protection Standards Regulations, Nuisance Animal Regulations* and *Animal Health and Protection Ticket Offences Regulations* made under that Act.
- (e) **“Humane Services Officer”** means any person appointed by the Town with the power to enforce these Regulations and shall include a Municipal Enforcement Officer.
- (f) **“Cat”** means a non-feral or feral cat regardless of age or sex.
- (g) **“Council”** means the Town Council of the Town of Conception Bay South.
- (h) **“Distress”** means the state of being in need of proper care, water, food or shelter, being sick, injured, abused or in pain or of suffering undue or unnecessary hardship, privation or neglect.
- (i) **“Dog”** means an animal of the canine species regardless of age or sex and includes an animal which is a cross between a wolf and a dog.
- (j) **“Kennel”** means an establishment for the keeping, breeding or boarding of dogs for commercial purposes.
- (k) **“License”** means a numbered tag issued by the Town in accordance with these Regulations.
- (l) **“Owner”** means a person who owns, harbours, has custody or has possession of an animal or a person who has charge of a house, premises, part of the premises or place where an animal is kept, permitted to live or remain. When used with reference to the ownership of a dog or cat, **“Owner”** means the person registered with the Town as the owner by means of a numbered dog or cat tag or in the absence of a tag, the person who has custody, charge or possession of a dog or cat or who is the owner of a house or premises, part of the premises or place where the dog/or cat is kept, permitted to live or remain, a guardian of an animal or a person who is responsible for the care of an animal.

- (m) **“Person”** means any person, firm, partnership, association, corporation, company or organization of any kind.
- (n) **“Premises”** means any land and all buildings situated thereon within the Town.
- (o) **“Puppy”** means a dog not more than three (3) months in age.
- (p) **“Roam”** means being elsewhere than on the property of the person who owns the animal without a leash or restraint; where the animal is found on any private property or premises without the permission of the property owner; where the animal is found on a street, road, lane, body of water, park, or field without being under the control of its owner; or where the animal is not under the immediate charge and control of a responsible person.
- (q) **“Shelter”** means a structure intended to house a dog which is weather proof, water proof and insulated containing an entrance and a hallway which is separated from the sleeping area and has a canvas or rubber flap attached to the entrance and meet the standards prescribed in the Animal Protection Standards Regulations made under the Animal Health and Protection Act.
- (r) **“Tag”** means a metal tag issued by the Town bearing a registration number.
- (s) **“Tether”** means a rope or similar material that is attached on one end to the neck, head or body of an animal for restraint or control and is affixed at the other end to a stationary object.
- (t) **“Town”** shall mean the Town of Conception Bay South.

3. **APPLICATION**

These Regulations shall apply within the boundaries of the Town.

4. **PROHIBITION ON ROAMING**

- (a) No owner shall permit any animal to roam at large on any street, road, lane, municipal park or playground or body of water within the Town, or in

any open field or common from which free access can be had to such street, road, lane or body of water.

- (b) If an animal while not in the company of its owner, or a member of its owner's household, is found in any public place including bodies of water or any private property without the consent of the property owner, occupant or person having control of such property, the owner of such animal, as well as the person who caused the animal to be in such a place, shall be deemed to have committed an offence in terms of these Regulations.
- (c) All owners must maintain control of an animal on their property by means of a fence or use other appropriate and approved methods of restraint.

5. REMOVING EXCREMENT

- (a) When an animal defecates on any public or private property other than the property or premise of the owner, the owner shall immediately remove and clean-up any animal excreta or feces from the property or premise.
- (b) If an owner does not immediately remove excreta or feces from Town owned property including Town parks, dog parks, public open space, sidewalks or streets, Council may deny the owner access to Town owned facilities.
- (c) An owner shall remove in a timely manner from his or her property excreta or feces left by such animal, so as not to disturb the enjoyment, comfort or convenience of any person in the vicinity of the property.

6. UNSANITARY CONDITIONS

No owner shall keep an animal in an unsanitary condition. Conditions shall be considered unsanitary where, in the opinion of the Humane Services Officer, the keeping of the animal results in an accumulation of fecal matter, an odour, insect infestation or material that may attract rodents which endanger the health of the animal or any person, or which disturb or are likely to disturb the enjoyment, comfort or convenience of any person.

7. LICENSES

- (a) No person shall keep any dog, except for a puppy, within the Town unless a license has been issued by the Town for such a dog.
- (b) The Town may issue a license for a cat at the request of the owner.
- (c) A license issued by the Town is good for the life of the dog or cat.
- (d) A license issued by the Town is not transferable.
- (e) The owner shall advise the Town of any changes in licensing information including, but not limited to, change of ownership, address or phone number.
- (f) No person or owner shall keep a licensed dog within the Town unless the license is attached to a collar, which collar shall be kept upon the dog's neck at all times.
- (g) The Town shall keep a register of all dogs and cats licensed by the Town showing the tag number, owner, address, telephone number and breed of dog.

8. DOGS TO BE TETHERED OR PENNED

An owner of a dog shall keep it safely tethered or penned at all times except where:

- (a) it is held on a leash by a person capable of restraining its movement;
- (b) it is being used by a person for the purpose of lawful hunting; or
- (c) it is being used for working in a lawful manner with livestock.

9. DOG PEN OR ENCLOSURE

An owner of a dog that is penned, unsupervised, outside shall ensure that:

- (a) the pen or enclosure in which a dog is confined shall be constructed in accordance with the Animal Health and Protection Act, basic standards of

care, made of materials that are non-toxic to the dog and maintained in a good state of repair;

- (b) the flooring of a pen or enclosure shall be made of a texture and design that prevents the dog from being injured and shall not be made of wire mesh, metal or wood;
- (c) a pen or enclosure in which a dog is confined shall not contain more than 3 dogs, except in the circumstance of nursing offspring;
- (d) a pen or enclosure shall provide a dog with shade at all times and contain at least one shelter for a dog, that is designed in accordance with the Animal Health and Protection Act; and
- (e) the area in which a dog is penned shall be cleaned and have excreta removed from it on a daily basis;
- (f) a dog confined in a pen or enclosure shall have social interaction with people or animals or both, toys and other enrichments that are appropriate for the dog's well-being and have daily access to exercise that is adequate and appropriate for that dog and that is untethered from a fixed area; and
- (g) the dog shall be provided with clean, fresh, unfrozen drinking water at all times and a sufficient quality of food to allow for normal, healthy growth and the maintenance of normal, healthy body weight.

10. TETHERING

An owner of a dog that is tethered, unsupervised, outside shall ensure that:

- (a) the dog is provided with clean, fresh, unfrozen drinking water at all times and a sufficient quality of food to allow for normal, healthy growth and the maintenance of normal, healthy body weight;
- (b) The dog is tethered in a location that does not pose a high risk of injury or other distress to the tethered dog and is tethered in an environment that:
 - i) is free of debris; and
 - ii) does not cause harm or undue strain or stress on the tethered dog;

- (c) the area in which a dog is tethered shall be cleaned and have excreta removed from it on a daily basis;
- (d) the restraining device used to tether a dog shall be at least 5 times the length of the dog, shall allow the dog to move in a manner that is safe and unrestricted except by the length of the restraint and shall not weigh more than 10 per cent of the dog's body weight;
- (e) a tethered dog shall have social interaction with people or animals or both, toys and other enrichments that are appropriate for the dog's well-being and have daily access to exercise that is adequate and appropriate for that dog and that is untethered from a fixed area;
- (f) an owner or caretaker shall provide protection from severe weather to which the animal could otherwise be exposed and that could cause the animal to be in distress;
- (g) shade is accessible to the animal at all times within the area; and
- (h) a dog that is young, aged or infirm shall not be tethered, unsupervised, outside for an extended period of time.

11. PROHIBITION ON TETHERING

- (a) Notwithstanding section 10 (f), an animal's owner or caretaker must ensure that the animal is not left tethered outside during extreme heat, extreme cold or severe weather conditions.
- (b) In deciding whether protection from weather is required, the following must be considered:
 - i) the animal's age;
 - ii) the animal's health;
 - iii) the animal's breed;
 - iv) the animal's ability to adapt to the heat or cold;

- v) the animal's coat;
 - vi) the outdoor temperature; and
 - vii) the severe weather that the animal could be exposed to.
- (c) A Humane Services Officer may immediately remove an animal left tethered, outside during extreme heat, extreme cold or severe weather conditions, if in the opinion of the Humane Services Officer, the animal's safety appears to be in immediate danger.
- (d) The Humane Services Officer who removes an animal from a property must take it to the animal shelter or if the animal is in extreme distress to a veterinary hospital for treatment.
- (e) A Humane Services Officer who removes an animal from a property must leave a written notice bearing his or her name and title, and the address of the location where the animal can be claimed, in a secure and conspicuous location on the property. The animal may be claimed by the owner only after payment of any charges that have accrued for the maintenance, care, medical treatment or impoundment of the animal.

12. BARKING OR HOWLING

No person or owner of an animal within the Town shall keep or permit to be kept in any building, premises or yard or any part thereof, such animal which by reason of its barking, howling, meowing, crowing or otherwise disturbs the peace and quiet of residents in the neighbourhood.

13. REFUSE CONTAINERS

No person or owner of a dog or a cat within the Town shall permit the dog or cat to upset or break into a refuse container on a street or any other public place.

14. KENNELS

- (a) No person shall operate a kennel or carry on any business or operation for the boarding, keeping, training or treating of dogs without a permit in writing from the Town.
- (b) No permit for a kennel shall be issued unless it conforms to the standards, conditions and requirements established in the Town's Land Use Zoning,

Subdivision and Advertisement Regulations and the Animal Health and Protection Act.

- (c) Such kennel, business or operation may be inspected by a Humane Services Officer for the purpose of enforcing these Regulations.

15. ANIMALS IN DISTRESS

- (a) An Owner or a person shall produce an animal for inspection by a Humane Services Officer where the Humane Services Officer reasonably believes it is necessary to determine whether an animal is in distress.
- (b) If the Humane Services Officer determines that the animal is in distress, the owner shall immediately relieve the animal's distress by providing food, water, care or treatment.
- (c) A Humane Services Officer may provide an animal that is found in distress with food, water, care or treatment.
- (d) A Humane Services Officer may take custody of an animal in distress in the following circumstances:
 - i. A veterinarian has examined the animal and has advised the Humane Services Officer in writing that the health and well-being of the animal necessitates its removal;
 - ii. The Humane Services Officer has reasonable grounds for believing that the animal is in distress and the owner of the animal cannot be found promptly; or
 - iii. An owner does not promptly take reasonable steps to relieve the distress of the animal.
- (e) A Humane Services Officer who takes custody of an animal in distress may retain custody of the animal and shall relieve the animal's distress by providing food, water, care or treatment with a full written report of the of the incident.
- (f) A Humane Services Officer who has taken custody of an animal in distress will immediately serve written notice of his/her actions on the owner of the

animal, or take reasonable steps to find the owner and inform him/her of the actions taken

16. UNATTENDED ANIMAL

- (a) A person must not leave or confine an animal in any unattended motor vehicle or enclosed container under any conditions that could endanger the health or well-being of the animal or any circumstances that could reasonably be expected to cause distress or death to the animal, including any of the following:
 - i. heat;
 - ii. cold;
 - iii. lack of adequate ventilation; or
 - iv. lack of food or water.
- (b) A Humane Service Officer may remove an animal from a motor vehicle or other enclosed container if the animal's safety appears to be in immediate danger from any of the conditions or circumstances listed in subsection (a) and take it to the animal shelter or, if the animal is in extreme distress, to a veterinary hospital for treatment.
- (c) A Humane Services Officer is authorized to take all steps that are reasonably necessary to remove an animal from a motor vehicle or other enclosed container, including breaking into the motor vehicle, after a reasonable effort to locate the owner or other person responsible has been made.
- (d) A Humane Services Officer who removes an animal from a motor vehicle must leave a written notice bearing his or her name and title, and the address of the location where the animal can be claimed, in a secure and conspicuous location on or within the motor vehicle.
- (e) An animal that has been removed from a motor vehicle or enclosed container by an inspector or peace officer may be claimed by the owner only after payment of any charges that have accrued for the maintenance, care, medical treatment or impoundment of the animal.

17. IMPOUNDING ANIMALS

- (a) The Humane Services Officer may seize and impound any animal within the Town found roaming, at large, or in contravention of these Regulations, and may enter upon any premises for the purpose of capturing any animal.
- (b) When an animal has been impounded, the Humane Services Officer shall make a record of such impounding. It shall be the responsibility of the owner to find out if his or her animal is impounded
- (c) Any animal found damaging or destroying private property may be seized by the injuriously affected person or persons and held for collection by the Humane Services Officer.
- (d) The owner may recover an impounded animal on such proof of his ownership of the animal, as the Council may require, and upon payment of all fees and expenses in connection with the impounding and keep of the animal.
- (e) The Humane Services Officer may euthanize any animal found roaming within the Town, if in his/her opinion, such animal is diseased, injured, dangerous, in such condition that it ought to be destroyed and may so dispose of the carcass and hide in an appropriate manner.
- (f) The Humane Services Officer shall keep any unclaimed domestic animal in the pound, having regard to all the circumstances, for a minimum of five (5) days.
- (g) An impounded animal that the Humane Services Officer believes to be dangerous shall not be offered for adoption.

18. DESTROYING ANIMALS

- (a) Where a Humane Services Officer must euthanize an animal under this Regulation, the services of a licensed veterinarian shall be used.
- (b) Any resident who is the known owner of an animal that has been euthanized shall be responsible for the costs incurred by the Town.

19. ADOPTION

An animal that is impounded and not claimed by the owner within the time provided in section 17 (f) may:

- (a) be adopted in accordance with conditions as may be established; or
- (b) be euthanized by humane methods.

20. FEEDING OF WATERFOWL AND PIGEONS

No person shall feed waterfowl or pigeons at a location determined by resolution of Council.

21. FEES

The Town shall prescribe licensing and impounding fees in its annual budget.

22. NO INTERFERENCE

No person shall interfere with, or impede in any way, the Humane Services Officer in the performance of their duties, or in any way tamper with equipment or vehicles utilized for the purpose of enforcing these Regulations.

23. PENALTIES

Every person who is guilty of an offence under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:

- (a) Shall be liable to penalties as stipulated in accordance with section 420 of the *Municipalities Act 1999*;
- (b) Shall be subject to a violation notice issued under section 421.1 (1) of the *Municipalities Act, 1999*; or
- (c) Shall be issued a ticket under the Provincial Offenses Act in accordance with section 421.2 of the *Municipalities Act, 1999*.

24. REPEAL OF PREVIOUS REGULATIONS

All previous Town of Conception Bay South Animal Control Regulations, Cat Regulations and Dog Regulations and amendments are hereby repealed.

25. COMPLAINT WITH OTHER ACTS

- (a) Nothing in these Regulations shall exempt any person from obtaining any license, permission, permit, authority or approval required by any other regulations of the Town or any statute or regulation of the Province of Newfoundland and Labrador.
- (b) Where conflicts occur between these Regulations and the Animal Health and Protection Act or any other Provincial Regulations, the Animal Health and Protection Act and associated Regulations shall apply.

26. EFFECTIVE DATE

These Regulations shall come into force on the 2nd day of September, 2015.

- carried unanimously

6. Residential Development – 27 Pocket Road, Long Pond

Resolution #15-313

Councillor George/Councillor Connors

Be it so resolved that the motion to approve be amended to include the following condition:

- If any development occurs on the subject property before final approval is issued, the approval in principle shall be rescinded.

- 6 yeas
- 2 nays (Tessier and Tilley)
- motion carried

Resolution #15-314

Councillor Rowe/Councillor Murphy

Be it so resolved that approval in principle be granted for a residential development consisting of single dwellings and row houses located between Pocket Road and Townsview Place subject to the following conditions:

- A permanent cul-de-sac complete with curb and gutter and a guard rail be constructed to prevent connection with Tobins Place;
 - Approval be obtained from the Department of Environment and Conservation for stream buffers and protection of any provincial designated wetlands;
 - If contaminated matter is found during development, full compliance with the Environmental Protection Act and Regulations is required including notification to the Department of Environment and Conservation and rehabilitation of the site;
 - Implementation of a rodent control program prior to site development;
 - The location and type of dwelling units in future phases be presented to Council for review and approval;
 - Provision of ownership documentation for the subject property satisfactory to the Town before final approval; and
 - Compliance with the Town's Development Regulations and Municipal Engineering Residential Subdivision Standards.
 - If any development occurs on the subject property before final approval is issued, the approval in principle shall be rescinded.
- 4 yeas
 - 4 nays (Tessier, Bent, Tilley and Youden)
 - tie vote

7. Planning and Development Committee Meeting Report

Resolution #15-315 Councillor Rowe/Councillor Tilley

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meetings of August 13, 2015 and August 24, 2015, be accepted as presented.

- carried unanimously

The Planning and Development Committee Meeting Report of August 24, 2015, contains the following recommendations:

1. Confirm Order – 45 Peacock Place

Recommendation:

Be it so resolved that the Order issued August 14, 2015 under the Municipalities Act, 1999 and The Town of Conception Bay South Occupancy and Maintenance Regulations ordering the demolition of the structure at 45 Peacock Place, Foxtrap, be confirmed.

2. Legal – 15 Perrins Road, Long Pond

Recommendation:

Be it so resolved that the Town proceed to demolish 15 Perrins Road, Long Pond, in accordance with the order issued on May 26, 2014, by abating all hazardous material, demolishing the building and make the property safe with all costs to be charged back to property tax account.

3. Rescind Order – 39 Atkins Road, Manuels

Recommendation:

Be it so resolved that the Order issued January 18, 2012, under the Urban and Rural Planning Act, 2000 and the Town of Conception Bay South Development Regulations ordering the removal of the boulders and rocks on and near the shoreline at 39 Atkins Road, Manuels, be rescinded as compliance has been achieved.

4. No Dumping Sign – Dawsons Run, Manuels

Recommendation:

Be it so resolved that a “No Dumping” sign at the end of Dawsons Run, Manuels be installed.

5. Take into General Revenue – Site Grading Deficiencies

Recommendation:

Be it so resolved that occupancy deposits totalling \$1,500.00 be taken into general revenue as the owners have failed to comply with the Town's final occupancy requirements.

Location	Receipt #	Date	Amount
65 Larch Grove Place, Upper Gullies	R# 164385	April 15, 2014	\$750.00
5 Frontview, Chamberlains	R# 185500	March 23, 2015	\$750.00

6. Town-owned Land – Peacock Place

Recommendation:

Be it so resolved that the Town enter into an agreement with owner of 45 Peacock Place, Foxtrap, to exchange parcels of land so that the Town can achieve sufficient frontage to provide future access to Town Owned Land and that the owner can acquire sufficient land to meet minimum area requirements for a building lot.

7. Town-owned Land – 80 Bayview Heights

Recommendation:

Be it so resolved that the Town acquire a parcel of land at 80 Bayview Heights, Kelligrews, in exchange for landscaping provided by the Town.

8. Crown Land – Floating Wharf, Stage Head Road

Recommendation:

Be it so resolved that the Town indicate no objection to an application to acquire a small portion of Crown Land, measuring approximately 6 feet by 20 feet, to accommodate a floating wharf.

**5. RECOMMENDATIONS OF ENGINEERING & PUBLIC WORKS COMMITTEE
(Chair, Councillor Richard Murphy)**

Transferred from Privileged Meeting #15

1. The Gateway

**Resolution #15-316
Councillor Murphy/Councillor Tilley**

Be it so resolved that approval be given to award the tender for the CP1 for the Gateway project to to Dexter Construction Company Ltd. in the amount of \$3,668,685.12. Funds are available in the project accounts.

- carried unanimously

Presentation of recommendations of meeting held August 25, 2015

1. Lift Station Repairs - Jacobs Creek

**Resolution #15-317
Councillor Murphy/Councillor Murphy**

Be it so resolved that approval be given for pump replacement at the Jacobs Creek lift station to Xylem Inc. at a cost of \$16,780.00 plus HST. Funds available from account #01-401-1000-7405.

- carried unanimously

2. Engineering and Public Works Committee Meeting

**Resolution #15-318
Councillor Murphy/Councillor Connors**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of August 25, 2015, be accepted as presented.

- carried unanimously

6. RECOMMENDATIONS OF RECREATION & LEISURE SERVICES COMMITTEE (Chair, Councillor Paul Connors)

No meeting held.

7. RECOMMENDATIONS OF FINANCIAL & ADMINISTRATIVE SERVICES COMMITTEE (Chair, Ken George)

Transferred from Privileged Meeting #15

1. Reallocation of Funds within 2014/2017 Multi Year Capital Works

Resolution #15-319
Councillor George/Councillor Connors

Be it so resolved that approval be given to re-allocate \$500,000 from the Fire Station, project #17-MYCW-14-00019 to the Town Hall, project #12207, within Schedule A of the 2014 – 2017 Multi Year Capital Works Agreement.

- carried unanimously

Presentation of recommendations of meeting held August 26, 2015

1. Accounts Payable Cheque Register

Resolution #15-320
Councillor George/Councillor Youden

Be it so resolved that approval be given to pay cheques totaling \$1,188,685.06 as per the attached Accounts Payable Cheque Register Report.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

Resolution #15-321
Councillor George/Councillor Tilley

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$572,840.17 as per the attached report.

- carried unanimously

3. Ratification of Direct Payments Previously Released

Resolution #15-322
Councillor George/Councillor Connors

Be it so resolved that approval be given to ratify direct payments previously released totaling \$204,278.38 as per the attached report.

- carried unanimously

4. Capital Invoices

Resolution #15-323
Councillor George/Councillor Connors

Be it so resolved that approval be given to pay capital cheques totaling \$3,084,102.77 as listed in the Financial Services Committee Minutes of August 26, 2015.

- carried unanimously

5. New Building Canada Fund Application

Resolution #15-324
Councillor George/Councillor Connors

Be it so resolved that approval be given for the Town of Conception Bay South to make an application to the New Building Canada Fund (NBCF) in the amount of \$15 million for a Municipal Depot.

- carried unanimously

6. Conception Bay Area Chamber of Commerce - Bob French Memorial Golf Tournament

Resolution #15-325
Councillor George/Councillor Bent

Be it so resolved that approval be given to ratify expenses for a donation to the Conception Bay Area Chamber of Commerce in support of the Bob French Memorial Golf Tournament in the amount of \$240 to enter a three member team. Funds are available in account 01-101-1000-7705.

- carried unanimously

7. Ratification of Purchase of Backstop at Sgt Ned Nugents Field

Resolution #15-326
Councillor George/Councillor Connors

Be it so resolved that approval be given to ratify the supply and install of a backstop at the Sgt Ned Nugents Field from Apex Construction Specialties Inc in the amount of \$8,695.00 plus HST. This was the lowest of the quotes obtained and funds are available in account 01-700-5054-8055.

- 7 yeas
- 1 abstention (Tilley)
- motion carried

Councillor Tilley declared a conflict of interest with this item as he is the President of the Conception Bay South Minor Softball Association. He vacated the Chamber at 7:28 p.m. and returned at 7:29 p.m.

8. Financial and Administrative Services Committee Report

Resolution #15-327
Councillor George/Councillor Murphy

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of August 26, 2015 be accepted as presented.

- carried unanimously

The Financial and Administrative Services Committee Report of August 26, 2015 contains the following recommendations:

1. Approval to Purchase – Battery Operated Ice Edger

Recommendation:

Be it so resolved that approval be given to purchase a Battery Operated Ice Edger for the new arena from Monarch Enterprises Ltd at a cost of \$6,155.00 plus HST. This was the lowest of the quotes received and funds are allocated from the capital project.

2. Approval to Purchase – Skate Sharpener

Recommendation:

Be it so resolved that approval be given to purchase a skate sharpener for the new arena from Cag Once Skatesharpener Limited at a cost of \$6,600.00 plus HST. This was the lowest of the quotes received and funds are allocated from the capital project.

3. Approval to Purchase – Hockey Nets

Recommendation:

Be it so resolved that approval be given to purchase two sets of 40” power coated fully dressed hockey nets for the new arena at a cost of \$6,520.00 plus HST. This was the lowest of the quotes received and funds are allocated from the capital project.

4. Approval to Call Tender – Scoreclocks

Recommendation:

Be it so resolved that the Town of Conception Bay South prepare and call tender for the purchase three (3) scoreboards for Sgt Ned Nugents Softball Facility, Richard Parsons Softball Facility and Lions Stoney Hill Baseball Facility.

5. BORROWING RESOLUTION – NEW ARENA PROJECT

To authorize the borrowing of certain monies from ROYAL BANK OF CANADA to meet the expenditures of the Town of Conception Bay South (hereinafter called "the Corporation") for the purpose of term funding for the new arena project.

WHEREAS it is necessary to borrow the sum of \$3,500,000.00 plus interest from the Royal Bank of Canada (herein after called (the "Bank").

BE IT THEREFORE RESOLVED by the Corporation as follows:

1. That the Mayor or Deputy Mayor with the Chief Administrative Officer or the Director of Administrative and Financial Services of the Corporation be and they are hereby authorized under the seal of the Corporation to borrow from the Bank the sum of \$3,500,000.00. plus interest at a rate of 3.39.% (indication rate to a maximum indication rate of 3.75%) as the same is required to meet the capital expenditure of the Corporation when said expenditure has been duly authorized by the Council.
2. That the said Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services aforesaid, be and they are hereby authorized to sign all cheques drawn on the amount into which the funds are deposited.
3. That the said borrowing shall have an initial term period not exceeding 10 years and a total amortization period not exceeding 25 years from date of the initial drawdown.
4. That the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services of the Corporation be given from time to time as required, in security for the amounts borrowed under the provision of this resolution.
5. That the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness.

6. BORROWING RESOLUTION – NEW TOWN HALL PROJECT

To authorize the borrowing of certain monies from ROYAL BANK OF CANADA to meet the expenditures of the Town of Conception Bay South (hereinafter called "the Corporation") for the purpose of term funding for the new town hall project.

WHEREAS it is necessary to borrow the sum of \$3,000,000.00 plus interest from the Royal Bank of Canada (herein after called (the "Bank").

BE IT THEREFORE RESOLVED by the Corporation as follows:

1. That the Mayor or Deputy Mayor with the Chief Administrative Officer or the Director of Administrative and Financial Services of the Corporation be and they are hereby authorized under the seal of the Corporation to borrow from the Bank the sum of \$3,000,000.00. plus interest at a rate of 3.39.% (indication rate to a maximum indication rate of 3.75%) as the same is required to meet the capital expenditure of the Corporation when said expenditure has been duly authorized by the Council.
2. That the said Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services aforesaid, be and they are hereby authorized to sign all cheques drawn on the amount into which the funds are deposited.
3. That the said borrowing shall have an initial term period not exceeding 10 years and a total amortization period not exceeding 25 years from date of the initial drawdown.
4. That the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services of the Corporation be given from time to time as required, in security for the amounts borrowed under the provision of this resolution.
5. That the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness.

8. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE (Chair, Councillor Darrin Bent)

Presentation of recommendations of meeting held August 24, 2015

1. Inner Harbour Divestiture

Resolution #15-328
Councillor Bent/Councillor Murphy

Be it so resolved that the Town accept the Grant Agreement and the Memorandum of Agreement as negotiated with the Department of Fisheries and Oceans Canada for the transfer in ownership and management of the Long Pond, Manuels Inner Harbour to the Town of Conception Bay South.

- carried unanimously

2. Youth Business Tax Incentive Program – Advantage Tutoring

Resolution #15-329
Councillor Bent/Councillor Connors

Be it so resolved that approval be given to include Advantage Tutoring into the Town's Business Tax Incentive Program for Youth Entrepreneurs.

-carried unanimously

3. Economic Development and Tourism Committee Report

Resolution #15-330
Councillor Bent/Councillor George

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of August 24, 2015 be accepted as presented.

- carried unanimously

9. OTHER COMMITTEE REPORTS

Nil

10. NEW BUSINESS

Councillor Rowe

recited a letter from the Chamberlain's Park Action Committee that thanked the Mayor and the Town employees for all the improvements to the park site this summer.

Councillor Connors

extended kudos on behalf of Council to the Conception Bay South Soccer Association for hosting 50 teams and executing 100 games for a very successful U10 Mega event.

Councillor Tilley

attended the 2015 EC peewee Fast Pitch Softball championships and extended praise to town staff and thanked the Director of Recreation and Leisure Services for the Town's support.

Councillor Bent

clarified concerns of comments regarding the gateway that were recently made in the media.

attended the 20th anniversary of the Woodford Training Center and thanked them for their contribution to the community. Also attended the softball tournament.

Councillor Murphy

advised that Council has approved 1.2 million dollars of the Town's Cost Shared funding program to spend on six sets of traffic lights. Further to this, he advised that the town has approved approximately 10.3 million dollars for water and sewer installation and road upgrades. He also provided an update on the new Arena, the Town Hall and the Fire Hall.

Councillor Youden

referred to flash flooding that occurred in some areas of Ward 4, following a sudden rain fall on September 1, 2015. He advised that the Engineering and Public Works

Department are working diligently to remedy any issues. Youden also addressed concerns of the catch basin on the Heritage Road area and suggested that it be referred back to the Engineering and Public Works Committee to ensure functionality.

Councillor George

attended the Conception Bay Area Chamber of Commerce 13th Annual Bob French Memorial Golf Tournament. The team consisted of Councillor Ken George, Councillor Richard Murphy, Director of Recreation and Leisure Services, Dave Tibbo and Federal Liberal Candidate, Ken McDonald. The team was successful in winning 1st place. Ken McDonald was the winner of the door prize and donated it to Canadian Cancer Society.

Mayor Tessier

attended Pirate Day and noted that it was a great success again this year. He thanked all town staff and outside organizers that were involved in this wonderful annual event. He also noted that Councillor Bent failed to retrieve the key to the Town from the pirates and as a result we can expect their return next year.

attended the 1 year out event for the 2016 Summer Games at Topsail Soccer Field was a huge success with a great crowd in attendance.

noted that he has received calls from residents who are concerned with the door to door sales. Mayor Tessier advised that individuals involved in door to door sales need to be respectful in doing so.

11. ADJOURNMENT

The meeting adjourned at 7:51 p.m.

Resolution #15-331
Councillor Rowe/Councillor Tilley

Be it so resolved that the meeting adjourn.

- carried unanimously

Steve Tessier
Mayor

Gail Pomroy
Acting Chief Administrative Officer