

Regular Meeting #12 July 11, 2017

A Regular Meeting of Council convened in the Council Chambers at 6:55 p.m. in the presence of Mayor Tessier, Councillors (with the exception of Councillor Bursey and Councillor Rowe), Town Clerk, Gail Pomroy, Director of Finance, Liz Davis, Director of Engineering and Public Works, Jennifer Norris, Director of Recreation and Leisure Services, Dave Tibbo, Fire Chief, John Heffernan, Director of Economic Development, Jennifer Lake and Communications Coordinator, Kristina George.

1. ADOPTION OF AGENDAS AND MINUTES

a. Adoption of the Meeting Agenda for July 11, 2017

Resolution #17-268
Councillor Tilley/Councillor Youden

Be it so resolved that the agenda of the meeting of July 11, 2017 be adopted as presented.

- carried unanimously

b. Adoption of the Meeting Minutes of June 20, 2017

Resolution #17-269
Councillor Tilley/Councillor Youden

Be it so resolved that the minutes of the meeting of June 20, 2017 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

- a.** Councillor Murphy presented a petition from residents of Seal Cove in opposition of rezoning of land to facilitate a helicopter hanger. This petition will be forwarded to the Planning and Development Department.

- b. **Musically Inclined** – Students from Musically Inclined were in attendance to perform “The Kelligrews Soiree”.

4. **RECOMMENDATIONS OF PLANNING AND DEVELOPMENT COMMITTEE
(Chair, Councillor Darrin Bent)**

Transferred from the Committee of the Whole meeting #12

1. **Amendment Request – 353-371 Conception Bay Highway, Long Pond**

Resolution #17-270
Councillor Bent/Councillor Connors

Be it so resolved that Municipal Plan Amendment No. 16, 2017 and Development Regulations Amendment No. 24, 2017 to redesignate land at 353-371 Conception Bay Highway, Long Pond, from Commercial Main Street (C-1) to Residential Multiple Unit (RMU), to accommodate a large scale assisted living facility, be approved as adopted by Council on June 20, 2017.

- carried unanimously

Presentation of recommendations of meeting held on July 4, 2017

1. **Motion to Defer**

Resolution #17-271
Councillor Bent/Councillor Connors

Be it so resolved that the recommendation pertaining to – Development Regulations Amendment No. 9, 2017 – Lears Road and Cemetery Lane, Seal Cove – be deferred.

- 5 yeas
- 2 abstentions
(Youden, George)
- motion carried

Deputy Mayor George and Councillor Youden declared a conflict of interest with this item as they have family living in the area. They vacated the Chamber at 7:09 p.m. and returned at 7:10 p.m.

1. Development Regulations Amendment No. 9, 2014 - Lears Road and Cemetery Lane, Seal Cove

Recommendation:

Be it so resolved that Development Regulations Amendment No. 9, 2017, that would add transportation uses to the Rural Zone as a Discretionary Use, add conditions related to transportation uses in the Rural Zone, and modify conditions for general industry uses in the Rural Zone, be adopted.

- DEFERRED

2. Demolition of Residential Properties

Resolution #17-272
Councillor Bent/Councillor Tilley

Be it so resolved that the Town of Conception Bay South Building Regulations be adopted as presented.

BUILDING REGULATIONS
PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by section 414 (1) (d) of the Municipalities Act, 1999, chapter M-24, the Town of Conception Bay South has made the following Regulations.

Stephen Tessier
MAYOR

1. TITLE

These Regulations may be cited as the "Town of Conception Bay South Building Regulations".

2. INTERPRETATION

In these Regulations:

- (a) **"Regulations"** means the Town of Conception Bay South Building Regulations.

- (b) **“Act”** means the Municipalities Act, 1999.
- (c) **“Applicant”** means the person who submits an application.
- (d) **“Architect”** means an architect registered to engage in the practice of architecture under the Statutes of Newfoundland and Labrador, Chapter A-15.
- (e) **“Building”** means a
 - i. A structure, erection, alteration or improvement place on, over or under land or attached, anchored or moored to land,
 - ii. Mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial or similar uses, and
 - iii. A part of and fixtures on or attached to buildings referred to in subsections i. and ii.
- (f) **“Building Inspector”** means any person designated to administer and/or enforce these regulations.
- (g) **“Council”** means the Town Council of Conception Bay South.
- (h) **“Department”** means the Community Development Department of the Town.
- (i) **“Fence”** means railing, wall, line of posts, wire, gate, boards or other similar substances used to separate or divide any parcel of land or part thereof from any other parcel of land or part thereof immediately adjacent thereto or to establish a property boundary.
- (j) **“Professional Engineer”** means an engineer registered to engage in the practice of engineering under the Statutes of Newfoundland and Labrador, 2008, Chapter E-21.1.
- (k) **Town”** means the Town of Conception Bay South.

3. APPLICATION

These Regulations shall apply within the boundaries of the Town.

4. PERMIT

- (a) No person shall carry out any building unless a permit has been issued by the Town.
- (b) A permit is required for:
 - i. All new construction and extensions, additions, structural changes affecting loadbearing members, floor layout changes, subsidiary units, and the relocation of existing buildings;
 - ii. All repairs to or renovations of existing buildings;
 - iii. The removal, destruction or demolition of any building or part thereof;
 - iv. The construction, alteration or repair of a fence;
 - v. The clearing or grubbing of land; and
 - vi. The construction of parking areas.
- (c) An occupancy permit is required prior to the occupancy of a building or portion thereof that has:
 - i. Been erected;
 - ii. Been extended, repaired or relocated;
 - iii. Been vacant for a period of 6 months or greater; or
 - iv. Changed the use for which an existing building is or was last occupied.

- (d) All building shall be carried out in accordance with these regulations, conditions stated on the permit and any other bylaw or regulations enacted by the Town.

5. APPLICATION FORMS

- (a) The applicant shall submit to the Town a completed and signed application form in the manner prescribed by the Town.
- (b) The following shall be submitted to the Department with the application form:
 - i. Duplicate copies of complete plans and specifications outlining the project in clearly legible detail; or
 - ii. A full description and specifications for repairs without structural alteration.
- (c) When required by the National Building Code of Canada, legislation or the Department, plans and specifications submitted with an application shall bear the authorized seal and signature of a Professional Engineer or Architect registered in the Province of Newfoundland and Labrador.
- (d) The Department may refer any application to such other agencies, jurisdiction or departments for review and approval as is deemed necessary or as required by law prior to granting a permit.

6. FEES

- (a) No permit shall be issued unless all property, business, water and sewer taxes applicable to the property are paid in full.
- (b) Any person who owes outstanding payments or fines to the Town relating to the issuance of a violation notice or summons shall not be entitled to a permit until such time as all such outstanding fines have been paid in full.
- (c) The appropriate fees for all permits shall be established by Council as part of the annual approval of the Schedule of Rates and Fees approved pursuant to the Act.

- (d) A permit will be automatically deemed invalid if funds are not available to pay the fee or if a cheque is returned to the Town because there are insufficient funds to pay the fee.
- (e) All fees shall be paid prior to the issuance of a permit.
- (f) Payment of fees shall not be construed as approval to start construction.

7. APPROVAL

- (a) The application, plans and supporting documents shall be reviewed by the Department and if found to be in conformity with these regulations and all other applicable legislation, the Department may issue a permit for the work proposed upon receipt of the appropriate permit fee.
- (b) The Department may, upon granting a permit, impose such conditions as may be necessary to fulfill the requirements of these regulations. Such conditions or requirements shall be outlined in writing.
- (c) No person shall carry out any work on a building within the Town unless a permit has been issued. All work shall be carried out in accordance with these regulations, any condition attached to a permit and any bylaw or regulation enacted by the Town.
- (d) The Department may issue a permit for the construction of a portion of a building when plans for that portion have been submitted and approved before the plans for the entire project have been reviewed and approved.
- (e) A copy of the permit shall be kept posted in a conspicuous place at the location of the project for the duration of the work.
- (f) All permits issued by the Department under the provisions of these Regulations shall expire one year from the date of issue, unless otherwise noted on the permit.

8. RENEWAL

A permit must be renewed if construction is not complete within the time period prescribed on the permit.

The Town reserves the right to refuse to renew a permit.

9. REVOCATION

The Department may revoke a permit for the following reasons:

- (a) Failure by the applicant or builder to comply with these regulations;
- (b) Failure to comply with any condition attached to the permit;
- (c) Where the permit was issued in error or was issued contrary to the applicable regulations or was issued on the basis of incorrect information; or
- (d) Where, in the opinion of the Department, the continuance of work becomes dangerous to life or property.

10. INSPECTIONS

- (a) When required by the Department, work shall be inspected by a Professional Engineer or Architect registered in the Province of Newfoundland and Labrador who shall submit a declaration certifying that the work has been carried out in accordance with approved plans, specifications, the National Building Code of Canada, the Fire Code of Canada and any other ancillary codes.
- (b) No inspections will be performed and further construction cannot proceed until a real property report prepared by a Land Surveyor licensed to practice in the Province of Newfoundland and Labrador has been received and approved by the Building Inspector.
- (c) The Town will establish the top of concrete elevation for buildings. The real property report must confirm that the top of concrete elevation meets the elevation established by the Town.
- (d) Applicants must ensure that the following inspections are requested, carried out and approved by the Building Inspector before the subsequent stage of construction or work is started:
 - i. Backfill and weeping tile connection;

- ii. Under slab plumbing;
 - iii. Under slab vapour/soil barrier;
 - iv. Framing inspection;
 - v. Insulation and vapour barrier;
 - vi. Occupancy;
 - vii. Landscape.
- (e) Requests for inspections made under section 10 (d) shall be made at least two working days prior to the day required.
- (f) A fee, as approved as part of the annual Schedule of Rates and Fees may be imposed upon the applicant, payable prior to the next stage of construction, if the Building Inspector is required to repeat a stage inspection because the previous stage was not completed properly or deficiencies noted were not corrected.
- (g) During any inspection, the Building Inspector will list any deficiencies that are noted on a Deficiency Notice and a copy of the Deficiency Notice will be issued to the applicant.
- (h) Any and all portions of a building for which a permit has been issued shall be made available for inspection as deemed necessary by the Building Inspector.

11. PLANS

- (a) A copy of the approved plans, specifications or engineering certifications shall be kept at the location of the project, and made available to the Building Inspector, for the duration of the work.
- (b) No person shall erase, alter or modify any plans or specifications upon which a permit has been granted by the Department unless the Department has approved such changes.

12. DEMOLITION

- (a) Prior to issuance of a demolition permit the Town will require:
 - i. That the Town's water and sewer services be turned off and capped at the main;
 - ii. That the utilities are cut and all services wires removed;
- (b) Removal of all foundation and footings if applicable;
- (c) Erection of fencing or barriers surrounding the building to be demolished to restrict public access to the site during the demolition of the building;
- (d) Disposal of all materials in an approved waste disposal facility;
- (e) Treatment by a pest control company, if applicable; and
- (f) Backfilling and site grading to be completed with suitable material, grading to match existing surrounding grades and providing a suitable ground cover such as sodding or seeding, unless otherwise permitted by the Department.
- (g) Persons who demolish a building, which is attached to another building(s), shall ensure the attached building is made weather tight and structurally sound in the opinion of the Department. Engineered demolition plans will be required when adjoining buildings may be structurally affected, when a building is greater or equal to three (3) storeys in height or exceeds 600 square meters in size or when required by the Department.
- (h) That all work be carried out in accordance with legislated requirements of all applicable authorities.

13. SITE STANDARDS

- (a) The applicant and builder shall keep the project site in a clean condition and shall remove all rubbish and debris in a timely fashion.

- (b) Immediately following the completion of any work under a permit, or the revocation or expiration of any permit, the applicant shall remove from the site where such work is being done, all unused building materials, all construction trailers or buildings and all debris and rubbish, and shall restore the site to a clean condition.
- (c) If the Building Inspector deems a project site to be unclean or unsightly, the Town may carry out the requirements of this section and levy all costs against the property.
- (d) Excavated material shall not extend beyond the subject property. Excavated material cannot be placed or stored on any street or public property without written approval by the Town.

14. CIVIC NUMBERING

- (a) Civic numbering shall be assigned by the Director of Engineering and Public Works or designate. Identifying a building or structure with a civic number is mandatory and will be required by the Town to be placed when notified it is missing.
- (b) Where it is determined by a Building Inspector or the Fire Department that the assigned civic number cannot be easily read from the street, the civic number shall be posted on the structure and shall also be posted at the end of the access driveway.
- (c) A civic number shall be displayed on the main building of each property in a conspicuous location and displayed in a visually suitable manner, such that:
 - i. It is in Arabic numerals;
 - ii. Civic number shall be displayed in a horizontal orientation;
 - iii. The colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;

- iv. The minimum character size of numerals on residential properties shall be a minimum of 15 centimeters;
- v. The bottom of the numerals on residential properties shall be a minimum of 1.2 meters above grade;
- vi. The minimum character size of numerals on non-residential properties shall be 25 centimetres;
- vii. The bottom of the numerals on non-residential lots shall be a minimum of 2.13 meters above grade;
- viii. Director of Engineering and Public Works or designate may, by written notice, require the property owner to remove any number which is displayed that is not its civic number, the owner must comply with such notice within seven (7) days of receiving notification.

15. OCCUPANCY PERMIT

- (a) No building erected, constructed, changed, altered, extended or repaired shall be occupied in whole or in part until an Occupancy Permit has been issued.
- (b) The following shall be required prior to the issuance of an Occupancy Permit:
 - i. Where required by the Department, a letter from a professional engineer or architect registered in the Province of Newfoundland and Labrador confirming that all electrical, structural, civil and mechanical work was constructed in accordance with the National Building Code of Canada and associated ancillary codes including the National Fire Code and Life Safety Code as amended from time to time and to submitted plans;
 - ii. A final electrical certificate if electrical work has been undertaken on the building;
 - iii. Posting of the civic number of the building;

- iv. A final building inspection by a Building Inspector; and
 - iv. Other such plans, information, certifications and specifications as may be required by the Department.
- (c) Site grading shall be completed prior to issuance of an occupancy permit and must meet the following requirements:
- i. A grading certificate, prepared by a Land Surveyor licensed to practice in the Province of Newfoundland and Labrador, must be submitted for lots within an approved subdivision, and approved by a Town Building Inspector. Grading must be as per pre-approved subdivision grading plan, if applicable;
 - ii. A positive grade must be maintained on all sides of the foundation;
 - iii. No ponding of water is permitted;
 - iv. Slopes shall have a maximum vertical slope ratio of 2:1 otherwise a retaining wall shall be required;
 - v. Retaining walls are to be constructed in accordance of the Town's Fencing Regulations, Section 25 – Retaining Walls;
 - vi. Site grading cannot negatively affect adjoining properties;
 - vii. A Building Inspector can require a grading certificate for any lot should it be deemed necessary; and
 - viii. Any other requirement that that the Building Inspector may require to ensure life safety.
- (d) The Department may issue an Occupancy Permit with conditions provided there is no immediate life safety, accident or health hazards present in the opinion of the Department.
- (e) The Department may refuse to issue an Occupancy Permit if:

- i. Final approvals from other agencies, jurisdictions or departments have not been obtained;
 - ii. Outstanding deficiencies are not corrected;
 - iii. The building is insufficiently finished, whether for reasons of safety, appearance, water supply, sanitation, wind and water tightness, or for any other reason relevant to the degree of completion of construction which may render the building unsuitable for use or occupancy; or
 - iv. Applicable fees have not been paid.
- (f) No change shall be made in the use or occupancy of any building or any part thereof until the Department has issued a permit for the proposed occupancy.
- (g) Any change of occupancy requires submission of a completed application form detailing the intended use of the property and, if required by the Department, duplicate copies of complete floor plans.
- (h) A change of occupancy shall be subject to the requirements of these Regulations and any other applicable legislation and regulations.

16. APPLICABLE CODES

- (a) The National Building Code of Canada and its supplements are hereby declared to be and shall be taken as part and parcel of these Regulations as if the same were repeated herein in full, as amended from time to time pursuant to the provisions of the Act. Successive future editions of the National Building Code shall replace the current code in effect.
- (b) The National Fire Code and its supplements are hereby declared to be and shall be taken as part and parcel of these Regulations as if the same were repeated herein in full, as amended from time to time pursuant to the provisions of the Act. Successive future editions of the National Fire Code shall replace current code in effect.
- (c) The Life Safety Code being Document 101 of the National Fire Code Standards of the National Fire Protection Association (USA) is hereby declared to be and shall be taken as part and parcel of these regulations as if the same were repeated herein in full, as amended

from time to time pursuant to the provisions of the Act. Successive future editions of the Life Safety Code shall replace the current code in effect.

- (d) The National Plumbing Code of Canada and its supplements are hereby declared to be and shall be taken as part and parcel of these Regulations as if the same were repeated herein in full, as amended from time to time pursuant to the provisions of the Act. Successive future editions of the National Plumbing Code shall replace the current code in effect as of the effective date of the issuance of the successive edition of the Code by the Canadian Commission on Building and Fire Codes.
- (e) The Development Regulations, Fence Regulation and/or any other municipal regulation or standard regulating or controlling engineering and/or building in force in the Town shall apply.
- (f) Nothing in these regulations shall exempt any person from complying with the requirements of any regulation or bylaw in force in the Town or from obtaining any license, permission, permit, authority or approval required by any statute or regulation of the Province of Newfoundland and Labrador or the Government of Canada.

17. 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 therefor, or neglects or refuses to do so:

- (a) Shall be subject to an order under section 404 (1) (e) of the *Municipalities Act, 1999*;
- (b) Shall be liable to penalties as stipulated in accordance with section 420 of the *Municipalities Act, 1999*; or
- (c) Shall be subject to a violation notice issued under section 421.1 (1) of the *Municipalities Act, 1999*; or
- (d) Shall be issued a ticket under the Provincial Offences Act in accordance with section 421.1 of the *Municipalities Act, 1999*.

18. EFFECTIVE DATE

These Regulations shall come into effect on the 12th day of July, 2017.

- carried unanimously

3. 15 Levis Place, Long Pond

Resolution #17-273
Councillor Bent/Councillor Youden

Be it so resolved that a request to develop residential property at 15 Levis Place, Long Pond, with a variance of the minimum building line setback to 9 metres be approved, subject to the condition that the adjacent property at 17 Levis Place be restored to pre-construction state within 60 days of the date of the building permit.

- carried unanimously

4. Sale of Town Owned Land – 20 Quartz Place, Chamberlains

Resolution #17-274
Councillor Bent/Councillor Murphy

Be it so resolved that approval be given to sell Town owned property adjacent to 20 Quartz Place to allow the property owner to construct an accessory building closer to the existing property boundary.

- carried unanimously

5. Sale of Town-owned Land – 20 Ava Place, Kelligrews

Resolution #17-275
Councillor Bent/Councillor Youden

Be it so resolved that approval be given to sell Town owned property adjacent to 20 Ava Place to allow the property owner to construct an accessory building, subject to requirements of fencing identified by the Recreation and Leisure Services Department.

- carried unanimously

6. Planning and Development Committee Meeting Report

Resolution #17-276
Councillor Bent/Councillor Murphy

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meetings of July 4, 2017, be accepted as presented.

- carried unanimously

**5. RECOMMENDATIONS OF ENGINEERING AND PUBLIC WORKS COMMITTEE
(Chair, Councillor Paul Connors)**

Presentation of recommendations of meeting held on July 5, 2017

1. Design Change Ratification – 2015 Traffic Lights

Resolution #17-277
Councillor Murphy/Councillor Bent

Be it so resolved that the decision to purchase additional traffic light equipment to install left-hand turn signals in the west bound direction at Anchorage Road and Greeleytown Road intersections at an approximate cost of \$10,000.00 be ratified. Funds will be charged to the project account.

- 5 yeas
- 2 nays (Murphy,
George)
- motion carried

2. Award of Tender 17-07 - Purchase of Two (2) New 2017 or Newer Portable Changeable Message Signs

Resolution #17-278
Councillor Murphy/Councillor Connors

Be it so resolved that approval be given to award Tender 17-07 Purchase of Two (2) New 2017 or Newer Portable Changeable Message Signs to Construction Signs Ltd for the tender bid price of \$33,775.50 taxes included. Funds are available in the project account.

- carried unanimously

3. Engineering and Public Works Committee Meeting

Resolution #17-279

Councillor Connors/Deputy Mayor George

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of July 5, 2017, be accepted as presented.

- carried unanimously

6. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Gerard Tilley)

Councillor Tilley read the following statement:

The Canadian Ball Hockey Association will be hosting its 2017 National B, C and D team championships at the Conception Bay South Arena & Robert French Memorial Stadium from July 20 – 23, 2017. Teams from across Canada will attend this event. Teams from British Columbia, Alberta, Manitoba, Ontario, Quebec and New Brunswick have registered. Newfoundland and Labrador will be well represented as well with teams in all three divisions.

Thomas Amusements will be arriving on the parking lot of the Conception Bay South Arena on July 24, will set up July 25 and operate from July 26 – 30, 2017.

The Town's Canada Day Celebration took place at the Conception Bay South Recreation Complex on Saturday, July 1, 2017 from 1:00 – 3:00 p.m. Despite unfavorable weather conditions, there was a great crowd in attendance. Approximately 500 people attended this event and there were a number of compliments on the set up and the band, Stixx n Stones. The night time fireworks were rescheduled for this event.

Soiree 2017 started with a bang this weekend. A huge turnout and ideal conditions started Saturday off with the Tim Hortons 8 km Road race. The Home Hardware Pancake Breakfast had over 700 people attend. While the weather did not cooperate, the Manuel's River Bobber Race went ahead as scheduled. Financially the event was successful through ticket sales but the Carnival activities were affected by the weather. The Saturday Night Outdoor Concert was moved to the Conception Bay South Arena due to the unfavorable weather conditions. Attendance was great for this event and the Town has received many compliments on the facility and set up for that event.

Sundays Family Fun Day was a huge success with great numbers. This event took place from 12 to 4 pm at Parsons Field. The night concluded with a wonderful Fireworks display at Cronin's Head. The Town has received many accolades on the events to date and are looking forward to continued success the rest of the week.

Some events highlighting the rest of the week include:

- Tomorrow, Wednesday is Movie Night at the Conception Bay South Arena. It starts at 7 pm and is sponsored by Mary Browns.
- Our ever popular Clara Nolan's Ball and Barbeque starts 12 pm tomorrow, Wednesday, at Worsley Park.
- Thursday, July 13, 2017, we have a concert on the beach from 7 to 9 pm at Topsail Beach Rotary Park.
- Friday, July 14, 2017 is our Big Rig Rodeo from 1 to 2:30 pm at the Conception Bay South Arena.

Presentation of recommendations of meeting held on July 5, 2017

1. Recreation and Leisure Services Committee

Resolution #17-280
Councillor Tilley/Councillor Youden

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of July 5, 2017 be accepted as presented.

- carried unanimously

7. RECOMMENDATIONS OF FINANCIAL AND ADMINISTRATIVE SERVICES COMMITTEE (Chair, Deputy Mayor George)

No meeting held.

Transferred from Committee of the Whole meeting #12

1. 2016 Audited Financial Statements

Resolution #17-281
Deputy Mayor George/Councillor Connors

Be it so resolved that the Town accept and present the Audit Report as completed by Grant Thornton, Chartered Accountants. This document is hereby tabled for public review and a copy shall be forwarded to the Minister of the Department of Municipal Affairs and Environment indicating the completion of our audited statement for the fiscal year 2016.

- carried unanimously

2. Accounts Payable Cheque Register

Resolution #17-282
Deputy Mayor George/Councillor Tilley

Be it so resolved that approval be given to pay cheques totaling \$285,696.30 as per the Accounts Payable Cheque Register Report.

- carried unanimously

3. Ratification of Manual Cheques Previously Released

Resolution #17-283
Deputy Mayor George/Councillor Connors

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$304,049.71 as per the report.

- carried unanimously

4. Ratification of Direct Payments Previously Released

Resolution #17-284

Deputy Mayor George/Councillor Bent

Be it so resolved that approval be given to ratify direct payments previously released totaling \$539,865.31 as per the report.

- carried unanimously

5. Capital Invoices

Resolution #17-285

Deputy Mayor George/Councillor Connors

Be it so resolved that approval be given to pay capital cheques totaling \$490,815.27 as presented at the Committee of the Whole meeting of July 11, 2017.

- carried unanimously

6. Donation Request - CBA Chamber of Commerce 15th Annual Golf Tournament

Resolution #17-286

Deputy Mayor George/Councillor Connors

Be it so resolved that approval be given for a donation to the Conception Bay Area Chamber of Commerce in support of the Bob French Memorial Golf Tournament in the amount of \$360.00. Funds are available in account 01-101-1000-7705.

- carried unanimously

7. Donation Request – Annual Nick Coates Memorial Motor Show

Resolution #17-287

Deputy Mayor George/Councillor

Be it so resolved that approval be given for a \$920 in-kind donation for the use of the Conception Bay South Arena to host the 5th Annual Nick Coates

Memorial Motor Show at the Conception Bay South Arena free of charge on August 12, 2017 (rain date of August 13, 2017). Funds are available in account 01-101-1000-7705.

- carried unanimously

8. Personnel – Chief Administrative Officer

Resolution #17-288
Deputy Mayor George/Councillor Connors

Be it so resolved that approval be given to confirm Dan Noseworthy in the position of Chief Administrative Officer as per the terms and conditions outlined in the contract dated November 30, 2015.

- carried unanimously

8. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE (Chair, Councillor Kirk Youden)

Presentation of recommendations of meeting held on July 4, 2017

1. 2018 Traveller's Guide

Resolution #17-289
Councillor Bent/Councillor Tilley

Be it so resolved that the Town place an ad in the 2018 Traveller's Guide at a cost of \$2,035 plus HST. Funds are available in account 01-502-1000-7005.

- 6 yeas
- 1 abstention
(Youden)
- motion carried

Councillor Youden declared a conflict of interest with this item as he is employed by the provincial department responsible. He vacated the Chamber at 7:36 p.m. and returned at 7:37 p.m.

2. Youth Business Tax Incentive Application (Tutor NL)

Resolution #17-290
Councillor Youden/Councillor Bent

Be it so resolved that Tutor NL be accepted into the Youth Business Tax Incentive Program.

- carried unanimously

3. Youth Business Tax Incentive Application (Adam Hiscock)

Resolution #17-291
Councillor Youden/Councillor Murphy

Be it so resolved that Adam Hiscock be accepted into the Youth Business Tax Incentive Program.

- carried unanimously

4. Business Tax Incentive Policy

Resolution #17-292
Councillor Youden/Councillor Connors

Be it so resolved that the Business Tax Incentive Policy be adopted as presented, and Policy Number 23 - Business Tax Incentive for New and Expanding Businesses and Policy Number 24 - Business Tax Incentive for Youth Entrepreneurs be rescinded.

PURPOSE:

To promote business attraction, development, and growth in the Town of Conception Bay South through the provision of a business tax reduction to non home-based and non-mobile businesses (with no adjustment of the property or water and sewer taxes).

AUTHORITY:

- Sections 120 – 125 and 203 of the Municipalities Act, 1999

PROCEDURE:

Business Tax Incentive

A business tax reduction may be granted to new and expanding businesses that are non-competitive with existing local enterprises.

The business tax reduction will be phased in over a three-year period as follows:

Year 1:	75% reduction in business tax
Year 2:	50% reduction in business tax
Year 3:	25% reduction in business tax

Thereafter, the normal business tax rate applies.

To be considered for this incentive, an application (accompanied by a business plan and financial statements or projections) must be submitted to the Department of Community Development for review. The application must be submitted prior to the Occupancy Permit being issued.

A business will be considered non-competitive if it is not expected to cause a significant negative impact to business activities of existing commercial enterprises currently approved in the Town as demonstrated within the market analysis section of the business plan.

This policy rescinds all previous policies pertaining to this subject matter.

- carried unanimously

5. Atkins Road Public Beach Access

Resolution #17-293

Councillor Youden/Councillor Connors

Be it so resolved that approval be given to formalize beach access at the end of Atkins Road at an estimated cost of \$7,868.28 + HST. Funds are available within the operating budget.

- carried unanimously

6. Economic Development and Tourism Committee Report

Resolution #17-294
Councillor Youden/Councillor Bent

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of July 4, 2017 be accepted as presented.

- carried unanimously

9. RECOMMENDATIONS OF FIRE, ENFORCEMENT AND PUBLIC SAFETY COMMITTEE (Chair, Councillor Richard Murphy)

Presentation of recommendations of meeting held on July 5, 2017

1. 29 Country Path

Resolution #17-295
Councillor Murphy/Councillor Tilley

Be it so resolved that the Order issued June 30, 2017, under the Municipalities Act, 1999; the Urban and Rural Planning Act 2000, the Waste Disposal and Property Regulations and the Occupancy and Maintenance Regulations ordering the repair or demolition to the dwelling and the demolition and removal of debris of the out buildings be confirmed.

- carried unanimously

2. Fire, Enforcement and Public Safety Committee Report

Resolution #17-296
Councillor Murphy/Councillor Connors

Be it so resolved that the recommendations/decisions made at the Fire, Enforcement and Public Safety Committee Meeting of July 5, 2017 be accepted as presented.

- carried unanimously

Councillor Murphy read the following statement:

Water Rescue Boat

With the transfer of ownership of the Inner Harbour to the Town of Conception Bay South, it became evident there was a need to expand the capacity of the Conception Bay South Fire Department to include water rescue. With over 2.3 million square meters of fresh water within the boundaries of Conception Bay South, the potential for a water related incident is ever-present.

The Conception Bay South Fire Department has been involved in Ice Water Rescue for a number of years with much of the equipment and training relevant to open water rescue. With the support of Council, the Conception Bay South Fire Department purchased a 15-foot inflatable boat with a 9.9 HP motor and trailer. This package is ideal for fresh water response - extremely maneuverable and can be deployed very rapidly in areas where a boat may be required to facilitate a rescue. The open water of Conception Bay is well covered by larger fast rescue craft from the Canadian Coast Guard, allowing the Conception Bay South Fire Department to focus strictly on areas of fresh water within our boundaries.

With their initial training now completed, the Conception Bay South Fire Department is extremely pleased to be able to offer this service for the protection of the residents of Conception Bay South. You are likely to see members of the Conception Bay South Fire Department throughout the summer in various bodies of fresh water as they continue their training and familiarization.

10. OTHER COMMITTEE REPORTS

Nil

11. NEW BUSINESS

Mayor Tessier

announced that he will not seek re-election in the upcoming municipal election. He thanked his family for their support as well as members of Council and staff.

Councillor Bent

thanked the Mayor for stepping up to the position when the previous Mayor resigned.

All members in attendance thanked Mayor Tessier for his contribution to the Town of Conception Bay South and wished him well for the future.

12. ADJOURNMENT

The meeting adjourned at 8:04 p.m.

Resolution #17-297

Councillor Youden/Deputy Mayor George

Be it so resolved that the meeting adjourn.

- carried unanimously

Steve Tessier
Mayor

Gail Pomroy
Town Clerk