

***** AGENDA *****
Tuesday, September 6, 2022
****START TIME 6:30 p.m.****

1. Disclosure of pecuniary interest.
2. Staff Reports.
3. Committee Reports.
4. Resolution: Adopt the minutes of the meeting held August 16, 2022.
5. By-Law: Official Plan Amendment and Zoning By-Law Amendment (Correction of Mapping Schedules) for Nipissing CON 10 PT BROKEN Lot 29.
6. By-Law: Regulating the Keeping and Registration of Dogs.
7. Resolution: Adopt a Policy for the Utilization of Electronic Devices with Monitoring Capabilities.
8. Resolution: Approve the Fall Newsletter for distribution.
9. Resolution: Request for Enhanced Road Side Clearance along Provincial Highways.
10. Correspondence.
11. Accounts to pay.
12. By-Law: Confirming Proceedings of Council.
13. Adjournment.

Council meetings will be held in person at 2381 Highway 654, Township of Nipissing Community Centre and virtually utilizing the Zoom platform; and will be livestreamed to the Township of Nipissing YouTube channel.

<https://www.youtube.com/channel/UC2XSMZqRNHbwVppelfKcEXw>

MINUTES

TOWNSHIP OF NIPISSING
Tuesday, August 16, 2022

A regular meeting of the Township of Nipissing Council was held on Tuesday, August 16, 2022. The meeting was held in person at the Township of Nipissing Community Centre, and livestreamed to the Township of Nipissing YouTube Channel.

Present: Mayor Tom Piper and Councillors Tom Marchant and James Scott.

Regrets: Councillors Steve Kirkey and Liz Moore, attending the AMO Conference.

Staff: Operations Superintendent Dan MacInnis; Administrative Assistant-Deputy Clerk Kristin Linklater; Land Planning and Technology Administrator-Deputy Treasurer John-Paul Negrinotti and Municipal Administrator-Clerk-Treasurer Kris Croskery-Hodgins.

Guests: Paul Goodridge.

Disclosure of pecuniary interest: None.

Staff Reports:

Dan MacInnis, Operations Superintendent – written report.

John-Paul Negrinotti, Land Planning and Technology Administrator – Deputy Treasurer – written report.

Kristin Linklater, Administrative Assistant-Deputy Clerk – verbal report.

Kris Croskery-Hodgins, Municipal Administrator – verbal report.

Committee Reports:

James Scott: Recreation Committee.

Tom Piper: Eastholme Home for the Aged Board of Management.

R2022-152 T. Marchant, J. Scott: That the minutes of the Council Meeting held July 12, 2022 be adopted as published. **Carried.**

R2022-153 T. Marchant, J. Scott: BE IT RESOLVED:

1. That this Council does approve "in principle" the Application of Andrea Dickinson and Tracy Duggan by Paul Goodridge, Agent on behalf of owners, to purchase the Shore Road Allowance located in front of Pt Broken Lot 11, Con 19, Township of Nipissing.
2. That this resolution is subject to the following conditions:
 - The Council shall select an independent search firm specializing in fishery issues and environmental issues to complete an independent investigation and report to determine the geographic limits where development could occur and to ensure compliance to the Provincial Policy Statement.
 - That the applicant will be responsible for the payment of all the Municipality's administrative, legal accounts and Environmental Impact Study costs in connection with the processing of this application.
 - That in accordance with the Municipality's policy, notice and a copy of the draft plan will be mailed to the adjacent owners. **Carried.**

Paul Goodridge left the meeting.

R2022-154 J. Scott, T. Marchant: That we appoint Terri Reidt to the Township of Nipissing Recreation Committee and the Township of Nipissing Cemetery Committee. **Carried.**

Official Plan Amendment No. 1

Township of Nipissing

**Amendment Number 1 to the
Official Plan of the
Township of Nipissing**

The attached explanatory text and constituting Amendment Number 1 to the Official Plan for the Township of Nipissing, was prepared and adopted by the Council of the Corporation of the Township of Nipissing, by By-law Number 2022-40 in accordance with the provisions of Sections 17 and 22 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Tom Piper, Mayor

Kris Croskery-Hodgins
Municipal Administrator-Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NO. 2022-40

**A By-law to adopt Amendment No. 1 to the
Official Plan for the Township of Nipissing**

WHEREAS The Corporation of the Township of Nipissing is empowered to amend its Official Plan as required;

AND WHEREAS Sections 17 and 22 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, provide Council such authority to amend its Official Plan;

AND WHEREAS the policies of the Official Plan of the Township of Nipissing are approved and in force and effect at this time;

AND WHEREAS the Council of the Corporation of the Township of Nipissing deems it necessary and desirable to adopt an amendment to a schedule to the Official Plan;

NOW THEREFORE the Council of the Corporation of the Township of Nipissing enacts as follows:

1. Amendment No. 1 to the Official Plan for the Township of Nipissing, consisting of the explanatory text is hereby adopted.
2. That the Clerk of the Township of Nipissing is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the By-law and Schedule, after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

This By-law will take effect on the date of its passage, subject to the provisions of Section 34(30) and (31) of the Planning Act, R.S.O. 1990, c.P.13.

Read a first, second and third time and passed this 6th day of September, 2022.

Tom Piper, Mayor

Kris Croskery-Hodgins, Municipal
Administrator-Clerk-Treasurer

Certification

Certified that the above is a true copy of By-law No. 2022-40 as enacted and passed by Council of the Township of Nipissing on the 6th day of September, 2022.

Kris Croskery-Hodgins
Municipal Administrator-Clerk-Treasurer

THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan for the Township of Nipissing consists of four parts:

Part A - THE PREAMBLE does not constitute part of this Amendment.

Part B - THE AMENDMENT, consisting of the details of Amendment No. 1 to the Official Plan to the Township of Nipissing.

Part C - THE APPENDICES do not constitute part of this Amendment. The appendices contain the background material, planning considerations and public involvement associated with this Amendment.

Schedule D - THE SCHEDULES associated with the proposed mapping amendments to the Official Plan.

Part A - Preamble

Purpose

The purpose and effect of the application is to correct the mapping for the property legally described as NIPISSING CON 10 PT BROKEN; LOT 29 which is shown on the key map attached to this notice. The property is generally located to the north of Settlers Road. The property is currently not mapped on the schedules to the Official Plan and the Zoning By-law. The property is patented land and is to be designated as Rural in the Official Plan and to be zoned as Rural in the Zoning By-law (through a concurrent Zoning By-law Amendment).

Location

Amendment No. 1 is a mapping amendment that applies to the subject property legally described as NIPISSING CON 10 PT BROKEN; LOT 29 which is shown on Schedule A to the Amendment.

Part B - The Amendment

1.0 Introductory Statement

The Amendment, consisting of the following details constituting Amendment No. 1 to the Official Plan for the Township of Nipissing.

2.0 Details of the Amendment

The Official Plan of the Township of Nipissing is amended in accordance with the following:

- Amend Schedule A - Land Use and Transportation of the Township of Nipissing Official Plan, to designate the subject property as Rural, as shown on Schedule A to this Amendment.

3.0 Implementation and Interpretation

In all other respects the provisions of the Township of Nipissing Official Plan shall apply.

Part C - The Appendices

Notice of Public Meeting

**NOTICE OF PUBLIC MEETING
FOR AN OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT
(CORRECTION ON MAPPING SCHEDULES)**

PLEASE TAKE NOTICE that the Corporation of the Township of Nipissing is undertaking a Township initiated Official Plan Amendment and Zoning By-law Amendment pursuant to Sections 17, 22 and 34 of the Planning Act, R.S.O. 1990, C.P. 13, as amended.

THE PURPOSE AND EFFECT OF THE APPLICATION is to correct the mapping for the property legally described as NIPISSING CON 10 PT BROKEN; LOT 29 which is shown on the key map attached to this notice. The property is generally located to the north of Settlers Road. The property is currently not mapped on the schedules to the Official Plan and the Zoning By-law. The property is patented land and is to be designated as Rural in the Official Plan and to be zoned as Rural in the Zoning By-law.

AND PURSUANT to the Planning Act, the application file is available for review at the Municipal Office, between the hours of 8:30 am to 12:00 pm and 12:30 pm to 4:30 pm on regular weekdays. Please contact the Municipal Administrator-Clerk-Treasurer to arrange to review this file.

FURTHER TAKE NOTICE that the Council for The Corporation of the Township of Nipissing will be holding a Public Meeting under the Planning Act, R.S.O. 1990, Chapter 13 as amended, to inform the public of the proposed Official Plan Amendment and Zoning By-law Amendment. The Public Meeting will be held in-person. Alternative methods to provide comments and participate are available upon request, and as provided in this Notice.

DATE AND LOCATION OF PUBLIC MEETING

Date: September 6, 2022
Time: 6:30 pm
Location: 2381 Highway 654, Nipissing, Ontario

ADDITIONAL INFORMATION AND APPEAL RIGHTS

A key map showing the land to which the proposed amendment applies is provided as part of this Notice. The purpose of this meeting is to ensure that sufficient information is made available to enable the public to generally understand the proposed mapping correction through the Official Plan Amendment and Zoning By-law Amendment. Any person who participates in the meeting shall be afforded an opportunity to make representations in respect of the application. Council will then use the information collected at these meetings to make a decision on the Official Plan Amendment and Zoning By-law Amendment.

Should you desire to express your approval or objection to the application, you may submit comments in writing to the below contact in advance of the Public Meeting. Please provide written comments by September 2, 2022. If you wish to provide verbal comments in advance of the Public Meeting, please contact the phone line at 705-724-2144 Ext. 225 to leave your verbal comments. The comments will be transcribed and presented at the Public Meeting. Further if you wish to participate in the Public Meeting, please contact the undersigned prior to September 2, 2022 in order to make arrangements for you to participate virtually in the Public Meeting. When submitting written comments, please use the subject line "Mapping Corrections OPA and ZBA".

If you wish to be notified of the decision of the Council of The Corporation of the Township of Nipissing on the proposed Official Plan Amendment and Zoning By-law Amendment, you must make a written request (with forwarding addresses) to the Municipal Administrator-Clerk-Treasurer of the Township of Nipissing at Township of Nipissing Office, 45 Beatty Street, General Delivery, Nipissing, Ontario, P0H 1W0. Telephone (705) 724-2144.

If a person or public body would otherwise have an ability to appeal the decision of The Corporation of the Township of Nipissing to the Ontario Land Tribunal but the person or public body does not make oral submissions at a Public Meeting or make written submissions to The Corporation of the Township of Nipissing before the Official Plan Amendment is adopted or the Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a Public Meeting or make written submissions to The Corporation of the Township of Nipissing before the Official Plan Amendment is adopted or the Zoning By-law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Mailing Date of this Notice: August 11, 2022

Kris Croskery-Hodgins, Municipal Administrator-Clerk-Treasurer
Township of Nipissing

Part D - The Schedules

**SCHEDULE A TO OFFICIAL PLAN AMENDMENT NUMBER 1
TO THE TOWNSHIP OF NIPISSING OFFICIAL PLAN**



Lands to be designated as Rural on Schedule A - Land Use & Transportation to the Township of Nipissing Official Plan

**Corporation of the Township of Nipissing
PROPERTY LEGALLY DESCRIBED AS NIPISSING CON 10 PT BROKEN; LOT 29**

BY-LAW NO. 2022-41

“Being a By-law to Amend Zoning By-law 2020-20, as amended”

WHEREAS the Corporation of the Township of Nipissing has initiated an application to amend Zoning By-law 2020-20 as amended;

AND WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, authorizes the Council of a municipality to pass Zoning By-laws to regulate the use of land, buildings or structures in accordance with Section 34(1) of the Planning Act Planning Act, R.S.O. 1990, c.P.13;

AND WHEREAS It has been determined by Council that no further notice is required in accordance with Section 34(17) of the Planning Act R.S.O. 1990, Chapter P.13 as amended;

NOW THEREFORE the Council of the Corporation of the Township of Nipissing enacts that By-law 2020-20, as amended is hereby amended as follows:

1. Schedule A to Zoning By-law 2020-20 shall be amended in accordance with Schedule ‘A1’, attached hereto.

Read a first, second and third time, and passed this 6th day of September, 2022

Tom Piper, Mayor

Kris Croskery-Hodgins
Municipal Administrator-Clerk-Treasurer

Schedule A1 to By-law No. 2022-41



Lands to be rezoned to the Rural (RU) Zone

**THE CORPORATION OF THE TOWNSHIP OF NIPISSING
BY-LAW NO. 2022-42**

Being a by-law to regulate the keeping and registration
of dogs within the Township of Nipissing.

WHEREAS Section 10(1) of the *Municipal Act*, S.O. 2001, c. 25, as amended, authorizes the Township of Nipissing to provide any service or thing that the Township considers necessary or desirable for the public; and

WHEREAS Section 10(2)(9) of the *Municipal Act*, S.O. 2001, c. 25, as amended, authorizes the Township of Nipissing to pass By-laws respecting animals; and

WHEREAS subsection 8(3) of the *Municipal Act*, S.O. 2001, c. 25, as amended, provides that a By-law under Section 10 of that *Municipal Act* respecting a matter may regulate or prohibit and, as part of the power to regulate or prohibit respecting the matter, may require a person to do things respecting the matter, or may provide for a system of licenses respecting the matter; and

WHEREAS Section 103(1)(a) of the *Municipal Act*, S.O. 2001, c. 25, as amended, states that if a municipality passes a By-law regulating or prohibiting with respect to the being at large or trespassing of animals, the By-law may provide for the seizure and impounding of animals being at large or trespassing contrary to the By-law; and

WHEREAS Section 425(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, authorizes the Township of Nipissing to pass By-laws providing that a person who contravenes a By-law of the Township of Nipissing passed under that Act is guilty of an offence; and

WHEREAS Section 28 (2) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, provides that a municipality may collect and retain personal information that is used for the purposes of law enforcement or necessary to the proper administration of a lawfully authorized activity; and

WHEREAS the Council of the Corporation of the Township of Nipissing deems it desirable to regulate the keeping and control of dogs in the Township of Nipissing in order to promote the safety and welfare of both animals and people;

Now Therefore the Council of The Corporation of the Township of Nipissing hereby enacts, as follows:

PART 1 – DEFINITIONS

- 1.1 “*Aid Dog*” means a dog that is registered and trained to aid a person with a disability and is actively in use for such purpose;
- 1.2 “*Animal*” means any member of the animal kingdom, other than a human;
- 1.3 “*Animal Control Officer*” includes a person appointed by Council as a Municipal By-law Enforcement Officer to enforce the provisions of this By-law and includes a police officer;
- 1.4 “*Animal Shelter*” means the premises, as designated and posted by the Corporation of the Township of Nipissing, that are used for the detention, maintenance, or disposal of animals that have been impounded pursuant to this By-law. The operation and maintenance of the designated Animal Shelter shall be the responsibility of the contractor operating the Animal Shelter. Animal Shelter and Impound Centre shall have like meaning;
- 1.5 “*At Large*” means to be found in any place other than the premises of the owner of the animal and not under the control of a person and in such a manner as to prevent escape;
- 1.6 “*Control*” means the care and custody of an animal;

- 1.7 "*Council*" means the Council of the Corporation of the Township of Nipissing;
- 1.8 "*Dispose*" means to rehome or euthanize an animal.
- 1.9 "*Dog*" means a male or female of the domesticated canine species;
- 1.10 "*Dog Tag*" means a dog tag issued pursuant to this By-law;
- 1.11 "*Dwelling Unit*" means a group of rooms used or designed or intended to be used by one or more persons as a single, independent and separate housekeeping establishment in which food preparation and sanitary facilities are provided for the exclusive use of such person or persons; and which has a private entrance from outside the building or from a common hallway inside the building.
- 1.12 "*Keeps*" means to own, care, control, possess, keep, harbour, maintain, or feed an animal, whether temporary or permanent;
- 1.13 "*Kennel*" means an establishment in which greater than four dogs are housed, groomed, boarded, bred, or trained for gain or profit;
- 1.14 "*Leash*" means a restraint not exceeding 1.8 metres in length;
- 1.15 "*Leashed*" means a restraining device securely attached to the dog and a person or object;
- 1.16 "*Medical Officer of Health*" means the Medical Officer of Health for the North Bay Parry Sound District;
- 1.17 "*Microchip*" means an approved "Canadian Standard" encoded identification device implanted into a dog which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner, which is stored in a central database;
- 1.18 "*Mitigating Factor*" means a circumstance which excuses aggressive behaviour of a dog and, without limiting the generality of the foregoing, may include circumstances where:
 - a) the dog was, at the time of the aggressive behaviour, acting in defence to an attack by a person or domestic animal;
 - b) the dog was, at the time of the aggressive behaviour, acting in defence of its young or reacting to a person or a domestic animal trespassing on the property of its owner; or
 - c) the dog was, at the time of the aggressive behaviour, being teased, provoked, or tormented;
- 1.19 "*Municipality*" means the Corporation of the Township of Nipissing.
- 1.20 "*Muzzle*" means a humane fastening or covering device over the mouth of a dog and of sufficient strength to prevent the dog from biting;
- 1.21 "*Nuisance Animal*" means any animal that unreasonably annoys humans, endangers the life or health of domestic animals or persons, or substantially interferes with the rights of persons, other than its Owner, to enjoyment of life or property.
- 1.22 "*Owner*" means any person who keeps, possesses, or harbours an animal, and where the owner is under the age of 18, the person responsible for the custody of the person under the age of 18;
- 1.23 "*Police Work Dog*" means a dog trained to aid law enforcement officers and used by such officers in the execution of their duties;
- 1.24 "*Premises*" means a building or a part of a building and any land appurtenant to the building or part of the building and includes a vacant lot;
- 1.25 "*Public Park*" means an area of public land specifically defined or set aside for use by and for the general public in both active or passive recreational uses; and includes all landscaping, facilities and apparatus, playing fields, utilities, buildings and other structures that are consistent with the general purposes of public parkland, and whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park and may include public and private cemeteries.
- 1.26 "*Public Property*" means all lands owned by the Township, any local boards, any corporations owned or controlled by the Township and includes all Crown lands within the Township;
- 1.27 "*Registrar*" means the person authorized to administer and enforce this By-law, and where applicable, shall be deemed to include an agent appointed by the Registrar to perform that task or exercise the power under this By-law;

- 1.28 "*Residential Unit*" means a suite operated as a housekeeping unit, used or intended to be used by one or more persons that contains cooking, eating, sleeping, and sanitary facilities;
- 1.29 "*Service Animal*" means an animal that:
- a) is being trained by a recognized organization for service as a guide animal for the visually or hearing impaired or a special skills animal for other disabled persons;
 - b) has successfully completed training by a recognized organization for service as a guide animal for the visually or hearing impaired or a special skills animal for other disabled persons; or
 - c) is performing the service for which it was trained;
- 1.30 "*Veterinarian*" means a person registered or licensed under the *Veterinarian Act*;
- 1.31 "*Vicious Dog*" means a dog that has attacked without provocation or bitten a person or domestic animal as determined by the Animal Control Officer in accordance with Section 21 of this By-law.

PART 2 – APPLICATION

- 2.1 Except as otherwise provided, this By-law shall apply to every person in the *Township of Nipissing*.

PART 3 – REGISTRAR

- 3.1 The Municipal Clerk for the *municipality*, or designate, will be the *Registrar* pursuant to this By-law.
- 3.2 The *Registrar* is responsible for the issuance of tags and may, from time to time appoint, in writing, agents for the issuance of tags as they may consider necessary. The *Registrar* may revoke any such appointment in writing for such reason as the *Registrar* in their sole discretion may determine.

PART 4 – LICENSING

- 4.1 Except as provided to the contrary in this By-law, every *owner* of a *dog* shall register the *dog* with the *Registrar* within 7 days of becoming the *owner* of the *dog*.
- 4.2 Despite Subsection 4.1, an *owner* is not required to register a *dog* before the *dog* reaches the age of six (6) months. The onus of proof of age of the *dog* shall rest with the *owner*.
- 4.3 Seasonal residents and transients shall be exempt from registering *animals* with the *municipality* if they have been registered in the place of their permanent residence. Proof may be requested by By-law Enforcement.

PART 5 – REGISTRATION PROCESS

- 5.1 Every person who applies to the *Registrar* to register a *dog* will:
- a) provide the name, address, telephone number, and email address (if applicable) of the *dog owner*,
 - b) provide a physical description of the *dog*,
 - c) provide such other information or documentation as may be required by the *Registrar*,
 - d) shall pay a registration fee to register the *dog* as outlined in Schedule A of this By-law;
- 5.2 Upon the applicant providing the required information and documentation to the *Registrar*, and paying the appropriate registration fee, the *Registrar* will register the *dog* and shall issue to the applicant the appropriate tag, which bears a unique serial number and other information, as determined by the *Registrar*.
- 5.3 The registration fee otherwise payable to register a *dog* shall be reduced to nil provided the *owner* of the *dog* produces, to the *Registrar* at the time of registration, evidence satisfactory to the *Registrar* that the *dog* is:
- a) a service *dog* and is used in that capacity by the *owner* of the *dog* or by a person under 18 years of age that is part of the family of the *owner* of the *dog*; or

- b) a *police work dog*.
- 5.4 No registration fee or any part thereof shall be refunded for any reason.
- 5.5 Every *owner* of a registered *dog* shall advise the *Registrar*, in writing, within 7 days thereafter, of:
 - a) the *owner's* change of address and phone number; or
 - b) the death or sale or other transfer of ownership of the *dog*.
- 5.6 The *Registrar, or designate*, shall have the right to cancel the registration of a *dog* in the event that the registration fee is not paid in full, through error, as a result of a cheque being returned marked Not Sufficient Funds, or for any other reason.

PART 6 – DOG TO WEAR TAG

- 6.1 Every *owner* of a *dog*, whether or not that *dog* has a *microchip* implanted, will, subject to subsection 6.2, keep the tag securely fixed on the *dog* for which it was issued, at all times during the year of issue.
- 6.2 Despite Subsection 6.1, an *owner* does not need to keep the tag on their *dog*.
 - a) while the *dog* is within the *dwelling unit* or on the *premises* of its *owner*,
 - b) while the *dog* is being lawfully used for hunting in the bush, and the license is produced upon request of an *Animal Control Officer*, or,
 - c) where a *veterinarian* has determined it is necessary to remove the tag for medical treatment of that *dog*.
- 6.3 No person shall remove a tag from a *dog* without the consent of the *owner*.
- 6.4 No person shall attach a tag to a *dog* other than the *dog* for which it was issued.
- 6.5 Every tag issued by the *Registrar* remains the property of the *municipality* and in the event the registration of a *dog* is cancelled by the *registrar*, the tag will be surrendered to the *Registrar*.

PART 7 – REPLACEMENT TAGS

- 7.1 The *Registrar* will issue a replacement *dog tag* to the *owner* of a registered *dog* upon application of the *owner*, that the tag was lost or damaged, and payment of a fee of \$5.00 for the replacement tag.

PART 8 – REGISTRAR'S RECORDS

- 8.1 The *Registrar* shall maintain records of all *dog tags* and replacement tags issued by the *Registrar* and shall update such records as additional information is received pursuant to Part 5, of this By-law.
- 8.2 The records under Subsection 8 will include: the name, address, email address (if applicable), and phone number of the *owner* of the *dog*, a physical description of the *dog*, the serial number of the *dog tag* issued, the fee paid, and such other information as the *Registrar* in their sole discretion determines to be necessary.
- 8.3 Personal information is collected and maintained by the *Registrar* so that the Township may contact the owner for purposes related to administration and enforcement of this by-law and to facilitate the reunion of lost or strayed dogs with their *owners*. The *Registrar* or designate may use or disclose this information for these purposes, or for a consistent purpose, to an officer, employee or agent of the *Municipality* who needs it in the performance of their duties.

PART 9 – DOG LIMITATIONS

- 9.1 Except as otherwise provided in this By-law, no person shall keep or permit in or about any *dwelling unit* or *premises* more than four *dogs*.
- 9.2 Notwithstanding subsection 9.1, a person may keep or permit in or about a *dwelling unit* or *premises*.
 - a) a maximum of four *dogs* that are visiting or being kept under emergency circumstances for a continuous period not exceeding 14 days.
 - b) not more than 6 *dogs* on a property where the prime and legal use of the property is agricultural and the dogs are for herding and livestock protection.
- 9.3 Subsections 9.1 and 9.2 shall not apply to *dogs* under the age of sixteen weeks.

- 9.4 Notwithstanding subsection 9.1, a person may keep about a *dwelling unit* or *premises* every *dog* which was licensed, with the *municipality*, the day prior to this By-law coming into effect in the area in which the *dwelling unit* or *premises* is located, until the earliest of the death of the *dog*, the *owner* otherwise disposes of the *dog*, or the *owner* fails to register the *dog* in accordance with this By-law.
- 9.5 It shall be the responsibility of the *owner* of the *dog* claiming an exemption from Subsection 9.4 to substantiate the entitlement to the exemption claimed.
- 9.6 Notwithstanding sections 9.1 and 9.2, a person may apply, on a site-specific basis, for a *kennel* license provided that the operation of such a business, including a home occupation or home industry, is compliant with municipal zoning regulations.
- 9.7 The licensing of a *kennel* requires that the following conditions be met:
- a) While the license is in force, it shall be continuously exposed in a conspicuous place in the interior of the *premises* for which the license is obtained.
 - b) At all times the *kennel* operator shall maintain the *premises* in a sanitary, well ventilated, clean condition, and free from offensive odors.
 - c) The operator shall keep the *animals* in sanitary, well bedded, well ventilated, naturally lighted, clean quarters, and at a healthful temperature at all times.
 - d) The operator shall feed and give water to the *animals* periodically each day and keep same in a clean, healthy condition, free from vermin and disease.
 - e) All refuse and waste matter from said *kennel* shall be disposed of daily in a proper and sanitary manner.
 - f) The Animal Control Officer, *Medical Officer of Health* or designate, and any other person authorized by the Corporation of the Township of Nipissing may inspect any place where a license has been issued, pursuant to this By-law.
 - g) If the *kennel* is found not to conform, under the requirements set out herein and within other applicable laws such as, but not limited to the Zoning By-law, the *Animal Control Officer*, or designate, may seize and impound the *animals* and the *municipality* may revoke the license issued to the *kennel*.

PART 10 – DOGS RUNNING AT LARGE

- 10.1 No *owner* shall permit a *dog*, except for an *aid dog* or a police *dog*, to be in the following municipal areas:
- a) Municipal Office
 - b) Museum
 - c) Public Works Garage
 - d) Fire Stations 1 and 2
- 10.2 No *owner* of a *dog* shall cause, allow, or permit a *dog* to run *at large* within the limits of the *municipality*.
- 10.3 No *owner* shall permit a *dog* to run *at large* that is not within the *dwelling unit* or on the *premises* of its *owner* or on private property with the consent of the *owner* of that private property.
- 10.4 *Owners* shall ensure that their *dog* is on a *leash*, which is held under the effective *control* of a competent person.
- 10.5 A *dog* shall not be considered to be running *at large* if it is a *police work dog*, and is being used in the course of police duties, or it is a hunting *dog* accompanied by the *owner* or other responsible adult and is actively engaged in hunting or training for hunting, on un-posted land or on posted land with the permission of the *owner* that is not within the urban area of the *municipality*, as defined by municipal zoning and/or planning regulations.
- 10.6 No *owner* shall allow or permit their *dog* to trespass on private property whether on a *leash* or not.

PART 11 – SEIZE AND IMPOUND

- 11.1 Subject to subsection 11.2, an *Animal Control Officer* may seize and impound any *dog* found running *at large*.
- 11.2 An *Animal Control Officer* may enter on any private property without the consent of the *owner* of the property, for the purpose of discharging the duties imposed by this by-law and to enforce its provisions, and provided they are in active pursuit of a *dog*, enter upon the private property of any person for the purpose of continuing their pursuit of the *dog*, provided that in no instance shall any such agent of the Corporation enter into any *dwelling unit* or other building situated on private property without a Search Warrant authorizing such entry.
- 11.3 Where, in the opinion of the *Animal Control Officer* or designate, a *dog* seized under subsection 11.1 is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or *animals*, the *Animal Control Officer* or their designate or agent, despite subsection 11.5 may kill the *dog* in a humane manner as soon after seizure as they think fit, without permitting any person to reclaim the *dog* or without offering it for sale and no person shall be entitled to recover damages or compensation on account of being euthanized.
- 11.4 Subject to Subsection 11.3, any *dog* seized by an *Animal Control Officer* or designate under this By-law shall be impounded for 8 days from the time of its impoundment, excluding the day on which the *dog* was impounded, and days on which the *Animal Shelter* is closed, provided however, that if the *dog* seized is a female *dog* in heat, the female *dog* shall be impounded until the earlier of the day the *dog* is no longer in heat or 21 days. If the municipal *Animal Shelter* is closed for a period requiring one or more *animals* to be housed at another *Animal Shelter*, a notice of the location and contact information of the *Animal Shelter* used will be posted at the municipal *Animal Shelter* and on the front door of the municipal office.
- 11.5 During the impound period referred to in subsection 11.4, the *owner* of the *dog* shall be entitled to redeem the *dog* upon:
- a) payment of the impound fee and board fee in an amount determined in accordance with Schedule "A" to this By-law;
 - b) payment of any *veterinarian* fees incurred for the well-being of the *dog*; and
 - c) registering the *dog* in accordance with this By-law if there is no evidence the *dog* is already registered. When no proof can be shown that the *dog* is registered the appropriate license fees shall be doubled.
- 11.6 If the *dog* is not redeemed within the time frame specified in subsection 11.4, the *Animal Control Officer* may dispose of the *dog* as they see fit without liability to any person for the disposition of the *dog* or the manner thereof. Prior to the *animal* being destroyed, every reasonable attempt shall be made to identify the *owner* through *microchip*, tattoo, or *dog tag*.
- 11.7 The *Animal Control Officer* is authorized, upon request of a police officer, to impound a *dog* for protective care purposes, pursuant to an incarceration, fire, medical emergency, or for any other situation that the *Animal Control Officer* deems appropriate and to keep such *animals* for a maximum of eight days.
- 11.8 In the event that the *owner* of the *dog* impounded for protective care does not claim the *dog* and pay the impound fees, board fees, and *veterinarian* fees in accordance with Schedule "A" of this Bylaw, within eight days, then on the ninth day, the *dog* may be deemed to have been impounded as running *at large* in accordance with Section 10 and time under subsection 11.4 shall begin to run.
- 11.9 Where a *dog* is seized and impounded, or impounded for protective care, the *owner*, if known, shall be liable for the impound fees, board fees and *veterinarian* fees in an amount determined in accordance with Schedule "A" to this By-law, whether the *dog* is claimed from the pound or not and shall pay all fees on demand by the *Animal Control Officer*. In appropriate humanitarian circumstances, the By-law Enforcement Officer may, in their discretion, waive all or part of the impound fees, board fees, and *veterinarian* fees, or provide for delayed or installment payments of same.

PART 12 – STOOP AND SCOOP

- 12.1 Every person who owns or *keeps* a *dog* shall forthwith remove and dispose of excrement left by the *dog* on private and public property within the municipality.
- 12.2 Section 12.1 may not apply to a person who owns or uses a seeing-eye *dog* registered with the Canadian National Institute for the Blind or a working police *dog*.

PART 13 – NOISE

- 13.1 The *owner* or person in *control* of a *dog* shall not permit or allow the *dog* to make or continue to make disturbing noises, including, but not limited to, continued or repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbours, or others in close proximity to the premises where the dog is kept or harboured for an unnecessary or unreasonable period of time which then has the effect of disturbing the peace, quiet, comfort, or repose of any individual.

PART 14 – VICIOUS DOG

- 14.1 No *owner* or person in *control* of a *dog* shall permit the *dog* to attack without provocation or to bite a person or domestic *animal*.
- 14.2 Where the *Animal Control Officer* is informed upon written complaint (Schedule "AC 1"), and is satisfied that a *dog* has attacked without provocation or bitten a person or domestic *animal*, and has further been provided with satisfactory evidence as to the name and address of the *owner* of the *dog*, the *Animal Control Officer* or designate may issue an Order (Schedule "AC2") to the *owner* requiring that the *dog* be kept *muzzled* at such times as are set out in the Order.
- 14.3 Such order shall set out the conditions of muzzling and the *owner* shall comply with any or all the requirements set out in Subsections 14.3, 14.4 and 14.5. The Order shall remain in effect until an action under the provisions of the *Dog Owners' Liability Act* has concluded, or until it is deemed by the Issuer that the *dog* in question does not present a risk to public safety, or an exemption is granted in accordance with 14.6 of this By-law.
- 14.4 Service of an Order that a *dog* has been deemed a *vicious dog* may be served on the person who shows in the *municipality's* records as the *owner* of the *dog*, or where the *dog* does not appear to be registered pursuant to this By-law, on such other person who appears to be the *owner* of the *dog*. Service may be effected by personal service, by mail, or by posting up in a conspicuous place at the address shown in the municipal records as the address for the *owner* of the *dog*, or where the *dog* is not registered under this By-law, at such address as appears to be the address of the *owner* of the *dog*.
- 14.5 Service of the Order shall be effective upon the date that personal service is effected, or where served by mail or by posting, shall be deemed effective on the third day after mailing or posting as the case may be.
- 14.6 Every *owner* of a *vicious dog* shall, when the *vicious dog* is within the boundaries of the *owner's premises*, always:
 - a) Keep the *vicious dog* confined inside a building or house or in an enclosed pen of sufficient dimension and strength to be humane and to prevent a *dog* from coming into contact with persons, other than the *owner* of the *dog*, or any other domestic *animal* or keep the animal confined within a securely fenced yard where the fence is a minimum height of 1.83 metres. The enclosed pen or the fenced yard shall be equipped with a locking device;
 - b) transport the *vicious dog* from one location to another by means of a collar-type *leash* and a *muzzle*.
- 14.7 Every *owner* of a *vicious dog* shall, when the *vicious dog* is not within the boundaries of the *owner's premises*, always:
 - a) keep the *vicious dog* under the effective *control* of an adult person on a *leash* held by the person; and
 - b) keep the *vicious dog* *muzzled*.
- 14.8 Every *owner* of a *vicious dog* shall notify the *Registrar* within two working days of any change in ownership or residence of the *vicious dog* and provide the *Registrar* with the new address and telephone number of the owner.

- 14.9 The notification that a *dog* is a *vicious dog* is effective from the date it is served, even if a hearing before *Council* is requested by the *owner* of the *dog* affected.
- 14.10 Failure to comply with an Order issued under the authority of Section 14 of this By-law is subject to the Set Fine as set out in Schedule B.

PART 15 – PENALTY

- 15.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to pay a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

PART 16 – INTERFERENCE

- 16.1 No person shall interfere with, hinder, or molest an agent of the Township in the performance of any duty of such agent, or seek to release any *animal* in the custody of the Township, or its agents, except as herein provided.

PART 17 – SHORT TITLE

- 17.1 This By-law shall be known as the "Dog Control By-law".

PART 18 – BY-LAW APPROVAL

- 18.1 This By-law shall come into force once the Short Form Wording and Set Fines are approved by the Regional Senior Judge of Ontario Court of Justice pursuant to the Provincial Offences Act.

PART 19 – REPEAL

- 19.1 That By-law No. 831 is hereby repealed once By-law 2022-41 comes into force.

Read a first, second and third time and passed this 6th day of September, 2022.

Tom Piper
Mayor

Kris Croskery-Hodgins
Municipal Administrator

SCHEDULE "A" – FEES TO BY-LAW 2022-42

SEIZED/IMPOUNDED	Fee	
Impoundment Fee	\$25.00	
Daily Boarding Fee	\$35.00	
Weekend Boarding Fee	\$40.00	
Humane Services/Adoption Fee	\$40.00	
Euthanasia Supplies Fee	\$100.00	
TAGS AND LICENSES	Fee	After March 31st
One dog in a residence	\$10.00	\$20.00
Second, third and fourth dog in a residence	\$20.00 each	\$30.00 each
Replacement Tag(s)	\$5.00	
Register Dog under Sec. 5.3	Nil	
Kennel License Fee	\$75.00	\$100.00

SCHEDULE B
TO DOG CONTROL BY-LAW 2022-42
PENALTIES – SECTION 16

TOWNSHIP OF NIPISSING
SET FINES PART 1 – PROVINCIAL OFFENCES ACT

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Failure to register dog and procure license	Section 4.1	\$55.00
2	Failure to keep tag securely fixed on dog.	Section 6.1	\$50.00
3	Attaching a tag to a dog other than the dog for which it was issued.	Section 6.4	\$50.00
4	Harbouring more than a total number of dogs permitted.	Section 9	\$100.00
5	Allowing animal into Prohibited area	Section 10.1	\$50.00
6	Allow a dog to run at large on private property without consent of owner.	Section 10.6	\$50.00
7	Allow a dog to run at large that is not under the effective control of a responsible person.	Section 10.2	\$50.00
8	Failure to ensure that a dog is on a leash under the control of a responsible person.	Section 10.4	\$50.00
9	Failure to remove and dispose of excrement left by dog.	Section 12.1	\$75.00
10	Failure to prevent dog from attacking without provocation.	Section 14.1	\$300.00
11	Failure to ensure that a vicious dog is securely leashed which does not allow the dog to go beyond the property boundaries.	Section 14.6	\$250.00
12	Failure to keep vicious dog under effective control on a leash/muzzle outside boundaries of owner's premises	Section 14.7	\$250.00
13	Failure to notify change of ownership or location of a vicious dog within 2 days.	Section 14.8	\$100.00
14	Failure to comply with an Order issued under Section 14	Section 14.10	\$100.00

Schedule AC1 TO BY-LAW 2022-42

DECLARATION REGARDING A VICIOUS DOG

Owner of Dog (provide information that you know):

Name: _____

Address: _____

Name of Dog: _____

Dog Tag #: _____

Description of Dog:

Breed: _____

Colour: _____

Other Descriptors: _____

Location of Incident:

Date of Incident: _____

Time of Incident: _____

Description of Incident:

Witness:

Name: _____

Address: _____

Phone Number: _____

Signature of Witness who observed the dog
bite a person or a domestic animal

Signature of Animal Control Officer

Personal information contained in this form is collected under the authority of the
Municipal Act, S.O., 2001, c.25, as amended, and will only be used for the purposes for
which it was collected.

Questions about this collection of information should be directed to the Municipal
Administrator.

Township of Nipissing

45 Beatty Street

Nipissing ON P0H 1W0

(705)724-2144

Schedule AC2 (Front Page) TO BY-LAW 2022-42

ORDER TO RESTRAIN

Date: _____

To: _____
Owner of Dog

Address: _____

Description of Dog: _____

Name of Dog: _____

Breed: _____

Colour: _____

Dog Tag #: _____

The Corporation of the Township of Nipissing is in receipt of a Declaration duly executed by the Animal Control pursuant to Part 14 of By-law No. 2022-42, and that the dog described above did on the ____ of _____, _____ bite and puncture the skin of a person or a domestic animal. In accordance with Part 14 of By-law No. 2022-42, you are hereby ordered to restrain your dog as follows:

When the *dog* is within the boundaries of your property/premises, always:

1. Keep the dog confined inside a building or house or in an enclosed pen of sufficient dimension and strength to be humane and to prevent a dog from coming into contact with persons, other than the owner of the dog, or any other domestic animal or
2. Keep the animal confined within a securely fenced yard where the fence is a minimum height of 1.83 metres. The enclosed pen or the fenced yard shall be equipped with a locking device and self-latching device. The self-latching device shall be designed in such a manner that the pen or gate cannot be opened from the outside by a child ten (10) years old or younger;

While the dog is off the property of the owner, as described in the Order, the owner shall ensure that the dog:

1. is kept under control on a collar-type leash with a maximum length of 2 metres and of sufficient strength to restrain the dog and keep it from chasing a person or domestic animal;
2. a muzzle is fastened humanely over the mouth of a dog of adequate strength and design and suitable to the breed of the dog that fits over the mouth of a dog and cannot be removed by the dog, to prevent the dog from biting or attacking a person or domestic animal; and
3. It is under the control of a person eighteen (18) years of age or older.

You shall notify the Registrar within two working days of any change in ownership or residence of the dog and provide the Registrar with the new address and telephone number of the owner.

Personal information contained in this form is collected under the authority of the *Municipal Act, S.O., 2001, c.25*, as amended, and will only be used for the purposes for which it was collected.

Questions about this collection of information should be directed to the
Municipal Administrator
Township of Nipissing
45 Beatty Street
Nipissing ON P0H 1W0
(705)724-2144

This Order is served upon the owner in accordance with Part 14 of By-law No. 2022-42 on
the ____ of _____, _____, by way of:

- ☐ Personal Service
- ☐ Mail
- ☐ Posting Notice

Animal Control Officer: _____
Signature

DRAFT

Township of Nipissing
Utilization of Electronic Devices with Monitoring Capabilities Policy
Council Resolution Number R2022-167, passed September 6, 2022

Purpose:

The purpose of this Policy is to define the responsible use by the Township of Nipissing ("the Township") of Electronic Devices with Monitoring Capabilities at the following locations:

Site 1 – 45 Beatty Street, the Township Office

Site 2 – 27 Beatty Street, the Township Public Works garage and yard

Site 3 – 4363 Hwy 654, the Nipissing Township Museum

Site 4 – 3513 Hwy 534, Wolfe Lake Landfill

Site 5 – 3509 Hwy 534, Fire Station #2

Site 6 – 2719 Hwy 654, Bear Creek Landfill

Site 7 – 2381 Hwy 654, Fire Station #1 and Community Centre

Electronic devices with monitoring capabilities may also be used in all Township vehicles and equipment as dash video camera equipment or part of the AVL systems. Body Camera device Body Worn Cameras may be used by municipal staff as required to ensure staff safety and accurate data collection when warranted.

Electronic devices with monitoring capabilities will be installed and utilized to serve the primary purposes of safety and security of Township staff and resources, enhanced work efficiencies and public safety. Data collected from such devices may also be used in the investigation and determination of disciplinary actions as deemed appropriate.

Security Cameras will be utilized for the following purposes:

Passively monitoring for potential security, insurance, or liability risks, the potential breach of municipal by-laws, and/or the potential occurrence of provincial or criminal offences immediately adjacent to Township buildings.

Deterring criminal activity by making all Security Cameras visible. Cameras shall be posted on the exterior of buildings only and will not be capable of sound recording.

Providing a safe working environment for Township staff and patrons.

Policy:

The Township of Nipissing reserves the right to install and utilize a variety of electronic devices in and around Township owned property, vehicles and equipment for the primary purpose of enhanced work efficiency and the safety and security of staff and Township owned property. Many of these devices will have monitoring, data collection and tracking capabilities.

Township Administration will inform all staff in the affected work area(s) of the installation of all electronic devices with monitoring capabilities, their intended purpose, the monitoring capacity and capability of the device, types of data to be collected and how the resulting data is to be stored and utilized.

Signage shall be posted on municipal buildings equipped with electronic devices with monitoring capabilities. Signs shall be posted stating "This facility is equipped with video surveillance." Signs shall be located at:

Site 1 – Front and Rear entrance doors.

Site 2 – Side entrance door.

Site 3 – Front door of Office Building, main point of reception.

Site 4 – Public facing side of Landfill Building.

Site 5 – Public entrance door.

Site 6 – Public facing side of Landfill Building.

Site 7 – Public Entrance door to Fire Station #1, entrance doors to Community Centre and Fitness Centre access.

Township Administration will inform all staff in the affected work area(s) as to the specific monitoring capabilities of the device that will be activated prior to implementation. However, in situations where strong evidence of serious misconduct under the Human Resources Policies of the Township has been identified, certain monitoring capabilities may be activated without prior notice to the employee(s) under surveillance.

Access to the data collected will be limited to the Municipal Administrator, Operations Superintendent or Fire Chief as required. Data may be used for coaching or discipline of employee(s).

Data collected will not be released or disclosed outside of the organization except if required by law or with the permission of any employee involved.

The length of time that collected data will be retained will vary based on the equipment involved. The reasonable length of time that data will be retained for each device will be determined based upon the length of the recording loop. Staff will be notified of the length of time the information collected will be retained.

Scope:

This policy will apply to the installation and utilization of all electronic devices with the capacity to monitor activity in and around Township owned property and equipment and to all staff who may be working within the scope of the devices capacity to monitor and record data.

Responsibility:

The Municipal Administrator, Fire Chief or Operations Superintendent will be responsible for ensuring compliance with this policy whenever any form of electronic device with monitoring capabilities it sot be installed and/or utilized within the jurisdiction of their work area.

Definitions:

"Administration" means the Municipal Administrator, Operations Superintendent and Fire Chief of the Township of Nipissing.

"Body Camera" means a Body Worn Camera used by Township Staff for the purpose of recording interactions with the public or gathering video recordings for evidence and preservation of information.

"Dash Cam" means a camera mounted to the dash of a vehicle which has the capability to record forward facing or rear facing during vehicle operation for the purpose of recording activities taking place during maintenance operations or patrol.

"Township" means The Corporation of the Township of Nipissing.

"Electronic Device with Monitoring Capability" means any electronic or telecommunications device that has the capacity to track and record the actions of staff and equipment as it relates to the performance of required duties.

Procedure:

Township Administration will make the decision to install and utilize electronic devices with monitoring capabilities based on the need to enhance security of the public, Township staff and/or Township property and to improve work efficiencies.

Staff where equipment with monitoring capability will be used, will receive instructions on the equipment and its' appropriate use. No employee shall tamper with, modify or adjust any settings or otherwise cause any interference with the operation of the device or its' monitoring capabilities unless authorized to do so by Township administration. To do so could result in disciplinary action up to and including discharge for cause.

Appropriate signage may be placed in all locations where electronic devices with monitoring capabilities are installed.

Municipal Administrator approval is required prior to the collection of information and/or data if that information and/or data is to be used as part of an investigation into an employee's workplace activities.

Security camera recordings will only be viewed in the event of a potential security, insurance, or liability risk, the potential breach of a municipal by-law, and/or potential occurrence of a provincial or criminal offence has come to the attention of authorized viewing personnel. Authorized viewing personnel shall be the Municipal Administrator, Operations Superintendent and/or Fire Chief, as required by their management responsibilities.

Recordings may be reviewed and the original and copies thereof may be retained by the Municipal Administrator when a potential security, insurance, or liability risk, potential breach of a municipal by-law and/or potential occurrence of a provincial or criminal offence has come to their attention.

The Municipal Solicitor may review, retain and make copies of recordings upon the request of the Municipal Administrator in order to provide the Township with legal advice.

Recordings and copies thereof retained by the Township due to potential security, insurance, or liability risks, potential breach of a municipal by-law and/or potential occurrence of a provincial or criminal offence may be retained by the Township as long as is required in order for the Township to address the security concerns and shall be stored by the Municipal Administrator and/or Department Head for a period of not less than one (1) year. Following one (1) year, when recordings retained for security purposes are identified by the Municipal Administrator and/or Department Head as no longer being required to address security concerns, such recordings will be destroyed.



TOWNSHIP OF NIPISSING

RESOLUTION

DATE: September 6, 2022

NUMBER: R2022-

Moved by

Seconded by

WHEREAS the instances of motor vehicle collisions involving wildlife on Highway 522 have been increasing;

AND WHEREAS the brushing and removal of trees and shrubs along the side of the highway where no electrical transmission lines are located has not been done;

NOW THEREFORE we respectfully request the Ministry of Transportation to include this work in a regular work and budget schedule to increase the safety of the motoring public along the Highway 522 corridor.

For Against

PIPER
KIRKEY
MARCHANT
MOORE
SCOTT

Carried

Mayor: Tom Piper



TOWNSHIP OF NIPISSING CORRESPONDENCE

September 6, 2022

1. AMO submission on Bill 3, *The Strong Mayors, Building Homes Act*, 2022; a letter from Mayor Nina Bifulchi, Town of Wasaga Beach regarding *The Strong Mayors, Building Homes Act* and a Resolution from the Town of Kingsville in opposition to Bill 3.
2. AMO submission to the Ministry of Health regarding Strengthening Public Health in Ontario: Now and for the Future.
3. The Powassan and District Union Public Library 2021 Annual Report.



Sent via email: schicp@ola.org

August 26, 2022

Laurie Scott, MPP Haliburton – Kawartha Lakes
 Chair, Standing Committee on Heritage, Infrastructure and Cultural Policy
 c/o Isaiah Thorning, Committee Clerk
 99 Wellesley Street West, Room 1405, Whitney Block
 Queen's Park
 Toronto, Ontario
 M7A 1A2

Dear Madam Chair and Members of the Committee:

Re: Bill 3, *The Strong Mayors, Building Homes Act*, 2022

Thank you for inviting me to attend the meeting of the Committee on August 29, 2022, on behalf of the Association of Municipalities of Ontario. I look forward to providing remarks and to participating in the Committee's deliberations on Bill 3.

Municipalities in every part of Ontario are committed to the province's growth and prosperity. They are eager to play their important role in increasing the supply of housing, improving housing affordability, and creating the sustainable, vibrant, accessible, and diverse communities that are the foundation of Ontario's social, environmental, and economic well being.

When AMO's Board met recently, it took the opportunity to discuss Bill 3. Given limited information on the views of AMO's member municipal councils, and without the opportunity to review research or expert opinion, the AMO Board was not in a position to gauge support for the Bill 3 provisions or to evaluate its merits. Consequently, the AMO Board does not have a position on Bill 3, in general.

However, the AMO Board's discussion concluded with consensus on the following matters to be conveyed as advice to the Committee.

First, as the government considers how it may expand the new provisions in the *Municipal Act* to include additional municipalities, it must engage in broad consultation with the public and with both professional and political municipal organizations, including AMO.

Second, the AMO Board has taken note of the strong concerns expressed by municipal public administrators regarding the proposed provisions in the *Municipal Act* that would allow a Mayor to unilaterally hire and fire a Chief Administrative Officer, and it urges this Committee to give careful consideration to those concerns as it proceeds.

Third, and finally, the AMO Board finds that the proposed changes to the *Municipal Act* which would allow a Mayor to unilaterally hire and fire department heads, and to reorganize the municipality's public administration, are at odds with established good practices of both private and public sector governance and administration and should be removed from the Bill.

Thank you for your attention to this matter.

Yours truly,



Brian Rosborough
Executive Director
Association of Municipalities of Ontario



30 LEWIS STREET
WASAGA BEACH, ONTARIO
CANADA L9Z 1A1
www.wasagabeach.com

August 19, 2022

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street
17th Floor
Toronto ON
M7A 2J3

Dear Minister Clark:

Re: Strong Mayors, Building Homes Act

Please be advised that the Council of the Town of Wasaga Beach, during their August 18, 2022 Council meeting adopted the following resolution:

"That Council receive the letter dated August 10, 2022 from the Ministry of Municipal Affairs and Housing pertaining to Strong Mayors, Building Homes Act, for information;

And further that a letter be sent to the Minister of Municipal Affairs and Housing outlining these proposed powers are not appropriate and to outline other ways for the province to institute housing and other matters, and that the motion be circulated to all Ontario municipalities."

The Town of Wasaga Beach Council does not support the Strong Mayors, Building Housing Act as the proposed changes will not demonstratively speed up the construction of housing and will erode the democratic process at the local level where members of Council have to work together to achieve priorities. What is needed to speed up construction of housing is greater authority for local municipalities to approve development without final clearances from outside agencies after they have been given reasonable time to provide such clearances.

Your favourable consideration of this matter is appreciated.

Should you have any questions, please contact me at mayor@wasagabeach.com or (705) 429-3844 Ext. 2222.

Yours sincerely,

A handwritten signature in black ink, appearing to read "N. Bifulchi".

Nina Bifulchi
Mayor

c. Members of Council
All Ontario Municipalities

Administration: (705) 429-3844
Fax: 429-6732
Planning: 429-3847

Building: 429-1120
By-Law: 429-2511
Parks & Rec: 429-3321

Arena: 429-0412
Public Works: 429-2540
Fire Department: 429-5281

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2022-3540

August 10, 2022

Dear Head of Council:

As Ontarians face the rising cost of living and a shortage of homes, our government was re-elected with a strong mandate to help more Ontarians find a home that meets their needs.

Our government also made an election promise to build 1.5 million new homes for the people of Ontario over the next 10 years to address the housing supply crisis.

I am pleased to inform you that our government introduced the proposed Strong Mayors, Building Homes Act on August 10, 2022, that, if passed, would make changes to the *Municipal Act, 2001*, *City of Toronto Act, 2006*, and the *Municipal Conflict of Interest Act*. These amendments would empower mayors in the City of Toronto and City of Ottawa to deliver on shared provincial-municipal priorities and get more homes built faster.

If passed, the proposed changes impacting the City of Toronto and City of Ottawa are intended to take effect on November 15, 2022, which is the start of the new municipal council term. Other growing municipalities could follow at a later date.

If you have any comments or feedback regarding these proposed changes, you may submit them to the Ministry of Municipal Affairs and Housing at:

StrongMayors@ontario.ca.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark".

Steve Clark
Minister



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

COPY VIA EMAIL (Premier@ontario.ca)

September 1, 2022

The Hon. Doug Ford, Premier of Ontario
Legislative Building
1 Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford:

**RE: Town of Kingsville Council Resolution #336-08292022 in opposition to
Bill 3, Strong Mayors, Building Homes Act, 2022**

At its Special Meeting held August 29, 2022 Council of The Corporation of the Town of Kingsville passed a Resolution against Bill 3 as follows:

Resolution #336-08292022

Moved by Councillor Kimberly DeYong

Seconded by Councillor Laura Lucier

"WHEREAS the Government of Ontario, through the Minister of Municipal Affairs and Housing, has introduced Bill 3 which is described as "An Act to amend various statutes with respect to special powers and duties of heads of council";

AND WHEREAS this Bill, if enacted, will initially apply to the City of Toronto and City of Ottawa, but will later be expanded to include other municipalities according to a statement made by the Premier at the 2022 AMO annual conference;

AND WHEREAS this Bill, if enacted, will give Mayors additional authority and powers, and correspondingly take away authority and powers from Councils and professional staff, and will include giving the Mayor the authority to propose and adopt the Municipal budget and to veto some decisions of Council;

AND WHEREAS this Bill, if enacted, will give authority over professional staff to the Mayor, including that of the Chief Administrative Officer;

AND WHEREAS these changes will result in a reduction of independence for professional staff including the CAO, who currently provide objective information to the Council and public and will now take direction from the Mayor alone when the Mayor so directs;

AND WHEREAS these are surprising and unnecessary changes to the historical balance of power between a Mayor and Council, and which historically gave the final say in all matters to the will of the majority of the elected Council.

THEREFORE, this Council of the Town of Kingsville, passes this resolution to petition the Government of Ontario that:

1. These changes to the *Municipal Act, 2001*, are unnecessary and will negatively affect the Town of Kingsville;
2. That if the Ontario Government deems these changes necessary in large single-tier municipalities such as Toronto and Ottawa, that such changes should not be implemented in smaller municipalities;
3. That the Ontario Government should enact legislation clarifying the role of Mayor, Council and Chief Administrative Officer, similar to those recommended by the Ontario Municipal Administrator's Association and those recommended by Justice Marrocco in the Collingwood judicial inquiry of 2020; and
4. That if the stated goal of this legislation is to construct more housing in Ontario that this can be accomplished through other means including amendment of the *Planning Act* and funding of more affordable housing.

Council further directs the Clerk to ensure that a copy of this resolution be provided to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the "Standing Committee on Heritage, Infrastructure and Cultural Policy", Kingsville's MPP, the Association of Municipalities of Ontario, and other Municipalities in Ontario."

RECORDED VOTE – Carried Unanimously

	YEA	NAY
Deputy Mayor Gord Queen	X	
Councillor Kimberly DeYong	X	
Councillor Tony Gaffan	X	
Councillor Laura Lucier	X	
Councillor Thomas Neufeld	X	
Councillor Larry Patterson	X	
Results	6	0

If you have any questions or comments please contact Paula Parker at pparker@kingsville.ca.

Yours very truly,



Paula Parker
Town Clerk, on behalf of Kingsville Council

cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing
(Steve.Clark@pc.ola.org)
Standing Committee on Heritage, Infrastructure and Cultural Policy; Attn.: Committee Clerk
Isaiah Thorning (schicp@ola.org)
Anthony Leardi, MPP – Essex (Anthony.Leardi@pc.ola.org)
Association of Municipalities of Ontario (AMO) (amo@amo.on.ca)
All Ontario Municipalities



STRENGTHENING PUBLIC HEALTH IN ONTARIO: NOW AND FOR THE FUTURE

AMO's Submission to the Ministry of Health

August 26, 2022

STRENGTHENING PUBLIC HEALTH IN ONTARIO: NOW AND FOR THE FUTURE

Preamble

The Association of Municipalities of Ontario (AMO) is a non-partisan, non-profit association representing municipal governments across the province. Municipal governments work through AMO to achieve shared goals and meet common challenges. As the frontline order of government closest to people, municipal governments are deeply invested in Ontario's health system and understand the health needs of local communities.

Introduction

Ontario's municipal governments have a vested interest in strengthening the public health system for the residents they serve given their role as governors, co-funders, employers, and in some cases, direct service deliverers. AMO's goal is to work with the Province of Ontario to strengthen public health, help end hallway health care, and reduce overall health costs through finding efficiencies to reinvest into services, not by increasing the municipal cost-share contribution.

Grave concerns were raised about proposed structural changes back in Ontario Provincial Budget 2019. Any changes should be carefully designed, based on sound evidence, and not rushed or else they have the potential to weaken, not strengthen, public health with the result that hallway health care may increase, and we will be less prepared for future pandemics.

Much has changed with the COVID-19 pandemic. This requires a fresh look at the public health system given the event of the past two and a half years. While the government appropriately and rightly paused consultations during the COVID-19 pandemic in March 2020, AMO is now asking for the consultations to resume with a COVID-19 lens once the pandemic waves subside. An inquiry would be a best practice to serve as a foundation for further consultation. The pandemic exposed both strengths and areas of improvement, both locally and provincially, and this learning needs to be considered in any future modernization and restructuring of public health.

As well, there are some immediate issues that need solutions in the near term in 2022. This submission outlines AMO's recommendations and proposed next steps for the government to work collaboratively with AMO, the public health sector, and relevant stakeholders. The advice provided through this document was developed based on input from AMO's Health Task Force and approved by AMO's Board of Directors. The Association of Local Public Health Agencies (aLPHa) is a member of the task force.

Context

In February 2020, AMO provided a [submission](#) in response to the government's consultation on public health modernization. The underlying premise is that the public health system delivers effective, coordinated, and cost-efficient services to the people of Ontario. Fundamentally, there is a need to preserve what is working well and fix what needs fixing. The system is not broken per se. Changing the system wholesale will cause disruption without clear demonstrated evidence of the benefits.

Further, one size does not fit all. Consistency in service delivery and reducing inefficiencies do not depend on a single governance or leadership type.

Key recommendations to build capacity and better system coordination included:

- incentives for voluntary mergers and sharing services between health units
- exploration of functions that could be done centrally by the province, Public Health Ontario, or other entities
- more back-office integration (e.g., corporate services like IT, legal, HR) and sharing of medical expertise through regional hubs or agreements (e.g., AMOHs, epidemiologists) between PHUs.

Ideally it was asserted that better coordination and communications between public health units with the province should happen without the need for major disruptive structural change. AMO does not believe that the province assuming more control centrally and reducing municipal 'pay for say' would help strengthen the system. Some enabling policy changes and encouragement of voluntary mergers, where required, would serve to better achieve outcomes consistently across Ontario. Lastly, adequate funding to do all for which PHUs are responsible for is critical. These recommendations from 2020 are still fundamentally relevant today.

However, as we all now, much has changed with the onset of COVID-19 and the situation is not fully stabilized as the pandemic continues into its 7th wave and still mutating. What we do know is that local public health agencies pivoted quickly to respond effectively to the pandemic, albeit at the expense of regular non-pandemic programming and services, resulting in a backlog.

Local public health agencies were active and proactive often ahead of provincial guidance, invoking the precautionary principle many times as the system was set up to enable effective responses. Decisions by Medical Officers of Health responding to local circumstances certainly saved lives, including through the issuance of Section 22 orders under the *Health Protection and Promotion Act*. Throughout the pandemic, practices and interventions evolved as local public health agencies learned from each other in a community of practice.

Public health associations, both nationally and regionally, have produced reports with preliminary learnings and calls for deeper evaluation all with a goal of strengthening the public health system in Canada and Ontario. This includes from the [Association of Local Public Health Agencies \(alPHA\)](#) and the [Public Health Physicians of Canada \(PHPC\)](#). AMO supports the calls for reflection with the provincial government.

AMO is providing our best advice to the government with recommendations for urgent action.

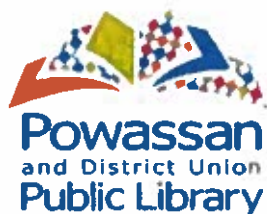
Recommendations

1. The government must not make significant structural changes to public health during the COVID-19 pandemic, but rather promote stability in the system.
2. The government must establish an independent inquiry as soon as possible to determine the lessons learned from COVID-19, at the local and provincial levels, and resume consultations, once the pandemic waves subside, about how to appropriately modernize and strengthen public health in Ontario.
3. The government must immediately act to address the full scope of health human resource challenges with a strategy for the public health and the health care systems.
4. The government must provide mitigation funding in 2022 to offset the financial impact to municipal governments from the cost-sharing changes in 2019 for 2020 and reverse the decision to restore the cost-share arrangement that existed prior to 2020. Further, the *Health Protection and Promotion Act* must be amended to enshrine the appropriate cost-sharing arrangement in legislation, rather than as a matter of provincial policy.
5. The government must continue funding COVID-19 costs, including vaccine roll-out, and incorporate as a distinct line item in ongoing base budgets for as long as there is a pandemic and epidemic situation that requires prevention and containment activities.
6. The government must provide new funding, starting in 2022, as required to address the backlog of non-pandemic related public health services*.

*AMO acknowledges that the province is "providing approximately \$47 million through to the end of 2023 to public health units and municipalities to ensure they have the financial stability to deliver key services across the province during this critical time. This is in addition to continuing the increased investments to support the public health sector's response to COVID-19" (source: [Ontario Newsroom, August 17, 2022](#)). Clarity is needed from the government about the use of these funds with further assessment by the public health sector of what is actually required to fully fund the delivery of services as mandated under the Ontario Public Health Standards as well as all COVID-related costs at the local level.

Conclusion

Promoting system-wide stability in the immediate term and strengthening public health structures and sustainability over the long term is essential to the health and economic development of our communities and residents. These recommendations offer a way to achieve these goals. AMO looks forward to continuing to work with the province to ensure all the people of Ontario can get the public health services that they need at the right time and in the right place.



August 4, 2022

Mayor Tom Piper
Township of Nipissing
45 Beatty Street
Nipissing, ON P0H 1W0

Re: Powassan & District Union Public Library 2021 Annual Report

Dear Mayor Tom Piper and Council Members:

Here is our 2021 Annual Report where you will find a recap of our achievements during 2021. A noteworthy highlight is how we were able to increase the average amount our members saved from \$54 in 2020 to \$506 in 2021.

Additionally, your Township contributed 13.5% of our total revenues in 2021 -- we are grateful for your continued support.

Thank you,

A handwritten signature in black ink that reads "Marie Rosset".

Marie Rosset, CEO



TOWNSHIP OF NIPISSING

RESOLUTION

DATE: September 6, 2022

NUMBER: R2022-

Moved by

Seconded by

**That the statement of accounts dated:
August 18, 19 and 30; September 1, 2022;**

Totaling \$439,021.44 be approved.

For Against

**PIPER
KIRKEY
MARCHANT
MOORE
SCOTT**

Carried

Mayor: TOM PIPER

Bill Register

The Corporation of the Township of Nipissing

Batch: AP01077

Bill #	Vendor Name	Bill Date	Due Date	Pay Bill Total By	Account	GST/HST	Rebate	Expense
--------	-------------	-----------	----------	----------------------	---------	---------	--------	---------

Totals				361,807.49		18,315.57	15,835.92	345,971.57
--------	--	--	--	------------	--	-----------	-----------	------------

Effective: 2022/08/30

Summary

		Debit	Credit	
1-01-005-000-000	Accounts Receivable	12,693.29		
1-03-040-106-000	Developer Deposits	2,662.70		
1-03-040-107-000	FITNESS CENTRE DEPOSITS	10.00		
1-03-052-161-000	Clearing Account Income Tax	13,462.77		
1-03-052-162-000	Clearing Account EI	2,240.58		
1-03-052-163-000	Clearing Account CPP	6,693.62		
1-03-052-180-000	Clearing Account OMERS	11,870.56		
1-20-200-582-000	Expenses	944.00		
1-20-210-568-247	Employee Benefits Group Policy	2,400.05		
1-20-210-576-299	OFFICE SUPPLIES & MAINTENANCE	262.03		
1-20-210-576-474	Health and Safety	50.16		
1-20-210-578-311	Legal Fee	617.53		
1-20-210-578-312	Planning & Zoning	801.37		
1-30-300-506-680	Radio Equip. & Licence	48.16		
1-30-300-552-260	FD GROUP BENEFITS	913.78		
1-30-320-542-230	CBO SERVICES	3,750.29		
1-30-340-508-363	Policing	26,609.00		
1-40-415-508-362	Home For The Aged Levy	33,338.00		
1-50-400-508-360	Health Unit Levy	4,750.90		
1-50-405-508-364	Ambulances	62,458.22		
1-55-612-552-260	Dump Benefits	1,759.74		
1-55-614-262-650	Recycling Operating	2,959.18		
1-60-004-624-421	Diesel Fuel Purchases	1,583.54		
1-60-004-624-422	Coloured Diesel Purchases	1,301.80		
1-60-004-624-423	REGULAR FUEL PURCHASES	464.46		
1-60-602-568-247	Roads Group Insurance	4,751.37		
1-60-602-623-602	Health & Safety Materials	225.13		
1-60-602-624-602	Garage Materials	59.88		
1-60-602-626-602	HTM Patching Materials	2,358.80		
1-60-602-641-602	Bridge Study/Flex Beam Materials	6,843.36		
1-60-602-642-602	LTM Patching Materials	2,075.90		
1-60-602-654-602	Ditching Materials	12,540.52		
1-60-602-684-602	GAS TAX 2022 PROJECTS	110,435.26		
1-60-604-900-420	Repairs Backhoe #1	540.00		
1-70-710-215-999	Recreation Event Programming Exp	48.62		

PULVERIZING ALSACE RD - HUMMEL BRIDGE STUDY - OWED TO NIPISSING

2nd INSTALLMENT LEVY

- CULVERTS
- SURFACE TREATMENT

Bill Register

The Corporation of the Township of Nipissing
Batch: AP01077

Bill #	Vendor Name	Bill Date	Due Date	Pay Bill Total By	Account	GST/HST	Rebate	Expense
1-70-830-560-582	Museum - Special Events	440.00						
1-70-840-508-377	Library Board	11,007.00	FINAL LEVY PAYMENT					
1-01-005-020-007	HST Partial Rebate	8,791.50						
1-01-005-025-006	GST Rebate	7,044.42						
1-03-040-100-000	Accounts Payable Trade			361,807.49				
		361,807.49		361,807.49				

Bill Register

The Corporation of the Township of Nipissing
Batch: AP01076

Bill #	Vendor Name	Bill Date	Due Date	Pay Bill Total By	Account	GST/HST	Rebate	Expense
		Totals		15,629.90		1,801.44	1,557.56	14,072.34

Effective: 2022/08/19

Summary

	Debit	Credit
1-20-200-582-000 Expenses	330.68	
1-20-210-576-290 Phone And Fax	66.13	
1-20-210-578-311 Legal Fee	153.56	
1-30-300-505-290 Telephone - Station #1	66.13	
1-30-300-506-091 Fire Dept - Capital	12,615.93	
1-30-305-504-264 CEMC DEVELOPMENT	66.13	
1-55-612-488-282 LANDFILL HYDRO	153.50	
1-55-612-488-290 LANDFILL CELL PHONE	132.27	
1-60-602-624-290 Telephone	396.83	
1-60-602-624-602 Garage Materials	70.89	
1-70-830-560-280 Museum -Structural/Other	20.29	
1-01-005-020-007 HST Partial Rebate	864.70	
1-01-005-025-006 GST Rebate	692.86	
1-03-040-100-000 Accounts Payable Trade		15,629.90
Totals	15,629.90	15,629.90

TOWER CONSTRUCTION, BUILDING & LICENSING

Payroll Register

The Corporation of the Township of Nipissing

General Ledger Distributions (Report Summary)

Account	Debit	Credit
1-01-002-012-000 Bank		25,035.50

processed September 1, 2022

Payroll Register

General Ledger Distributions (Report Summary)

The Corporation of the Township of Nipissing

Account	Debit	Credit
1-01-002-012-000 Bank		36,548 55

Payroll processed
August 18, 2022