

AGENDA

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. PRESENTATIONS

- 3.1 Nova Scotia Community College – Gord MacKenzie, Mat Vankoughnett, Monica Lloyd

4. APPROVAL OF THE MINUTES

- 4.1 Council Meeting Minutes – May 20, 2025
4.2 In Camera Meeting Minutes – January 20, 2025
4.3 In Camera Meeting Minutes – May 20, 2025
4.4 Special Council Meeting Minutes – May 27, 2025

5. ANYTHING BY CITIZENS

Procedure: A thirty-minute period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two-minute period provided there is time remaining within the thirty-minute "Anything by Citizens" period.

6. NEW BUSINESS

- 6.1 Committee of the Whole Recommendations
 a. RFD 026-2025 Agreement for Animal Control Services – CAO
6.2 RFD 030-2025 First Reading of New Dog Bylaw – CAO
6.3 RFD 027-2025 Replacement of Pump at Sewage Treatment Plant – Director of Public Works
6.4 RFD 028-2025 Source Water Protection Plan – Director of Public Works
6.5 RFD 029-2025 Cross Connection Bylaw – Director of Public Works

7. REPORTS

- 7.1 Management Report
7.2 Middleton Fire Department Dispatch Report for May
7.3 IMSA Board May 21/25 DRAFT Minutes and Meeting Minute
7.4 Annapolis County Inter-Municipal Working Group May 22/25 DRAFT Minutes

MIDDLETON TOWN COUNCIL
Town Hall – Council Chambers & Facebook Live
Monday, June 16, 2025
7:00 p.m.



7.5 Mayor's Report

8. ANYTHING BY MEMBERS

9. IN-CAMERA

9.1 Contractual

9.2 Personnel

10. ADJOURNMENT



NSCC Annapolis Valley Campuses

Gord MacKenzie, Principal

Monica Lloyd, Academic Chair

Mathew Vankoughnett, Research Scientist

Incoming Admissions Trends

Selected Program Type(s):
Core Credit, Core Credit - Additionally Funded

Term: Fall
 Fall
 ALP

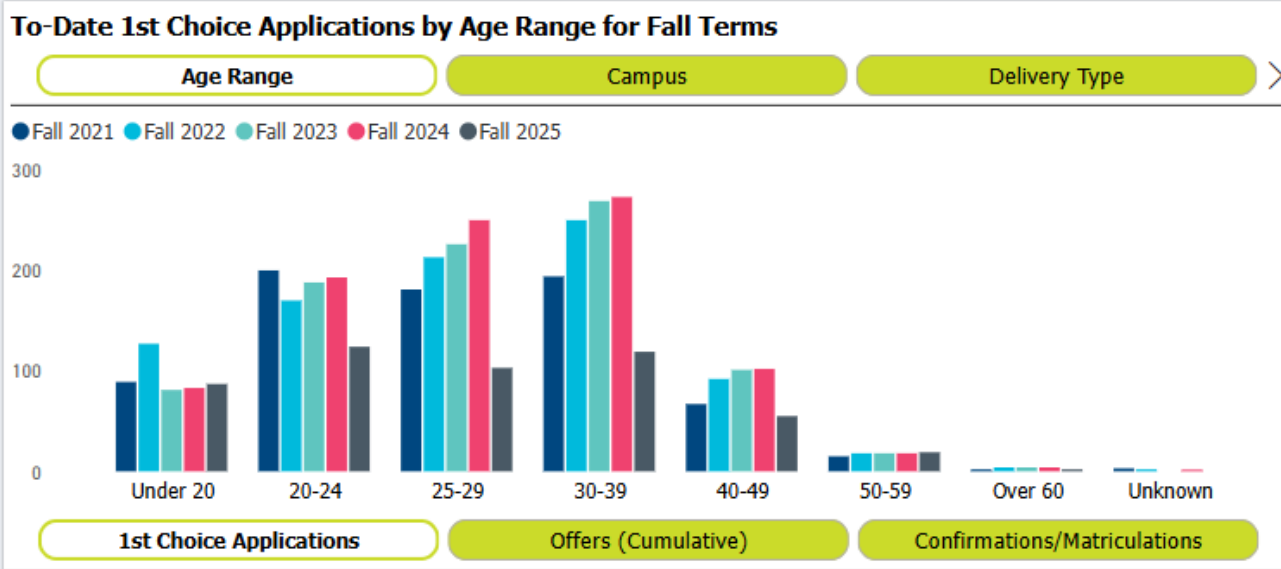
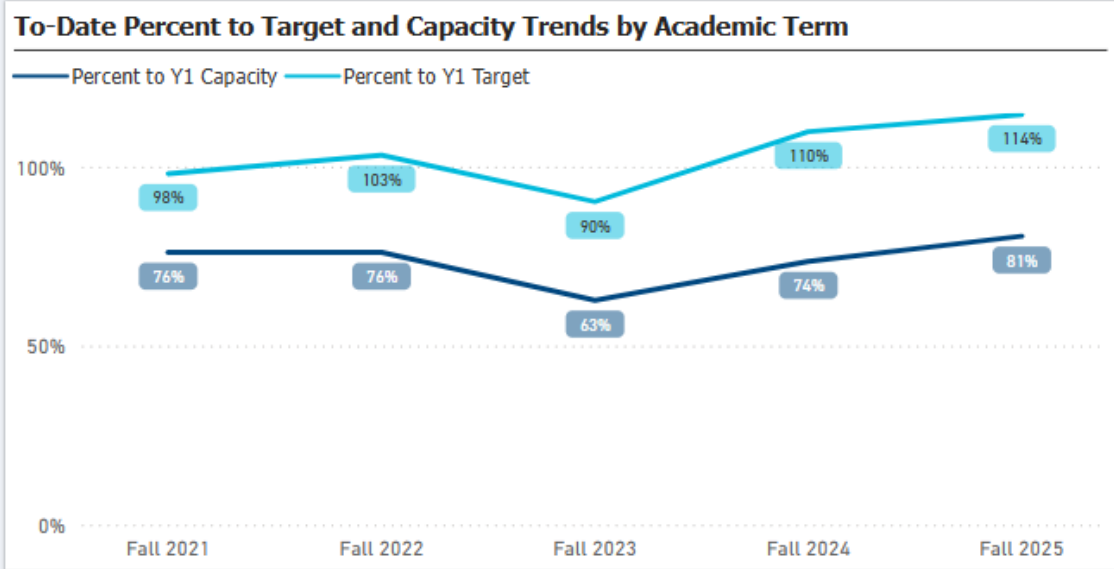
Campus / Location: Annapolis

School / Program: All

Domestic / Int'l: All

Equity-Deserving Group: All

Program Type: Multiple selections



To date (since 2020/2021) CORAH has **offered 23,62 sessions**, with an attendance of **29,663/daily registrations**.

Here's a snapshot of our totals for this past academic year (Fall 2024 to Spring 2025):

Date	Sessions	Attendance (55+ older adults)
September (2024)	17	245
October (2024)	88	1,328
November (2024)	104	1280
December (2024)	30	386

January (2025)	27	594
February (2025)	71	1047
March (2025)	76	1123
April (2025)	67	890
May (2025)	59	839



NSCC Applied Research and Innovation quick facts

198

Unique projects

\$5.8M

In research income/funding

500+

Students engaged

57

Paid student roles

9

Research and innovation areas of focus

102

Staff (excluding students)

*These numbers reflect the 2023/24 fiscal year



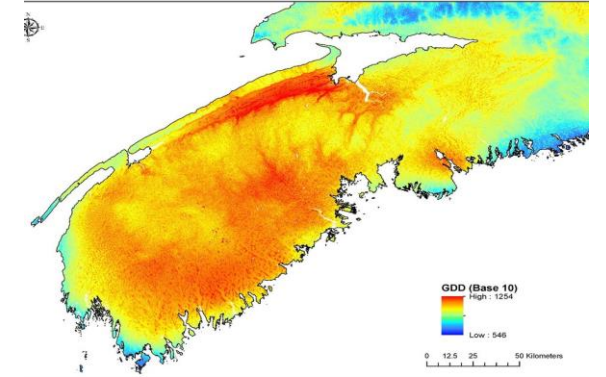
**Tissue Culture
Lab**



**Controlled and
Outdoor Growing**



**Plant Physiology
and Soil
Health Lab**



**Geospatial
Analysis**

**Agriculture Biotechnology
Cool Climate Center (ABC³)**

Centre of Geographic Sciences (COGS)

High student retention & graduate rates.

Applied Learning

Industry & Community Connections



“Best kept secret in the Valley”



Students are finding employment in Nova Scotia, the Maritimes, Canada & Abroad



COGS Programming

School of Technology & Environment

Certificate Programs

- GIS Technician
- Survey Technician

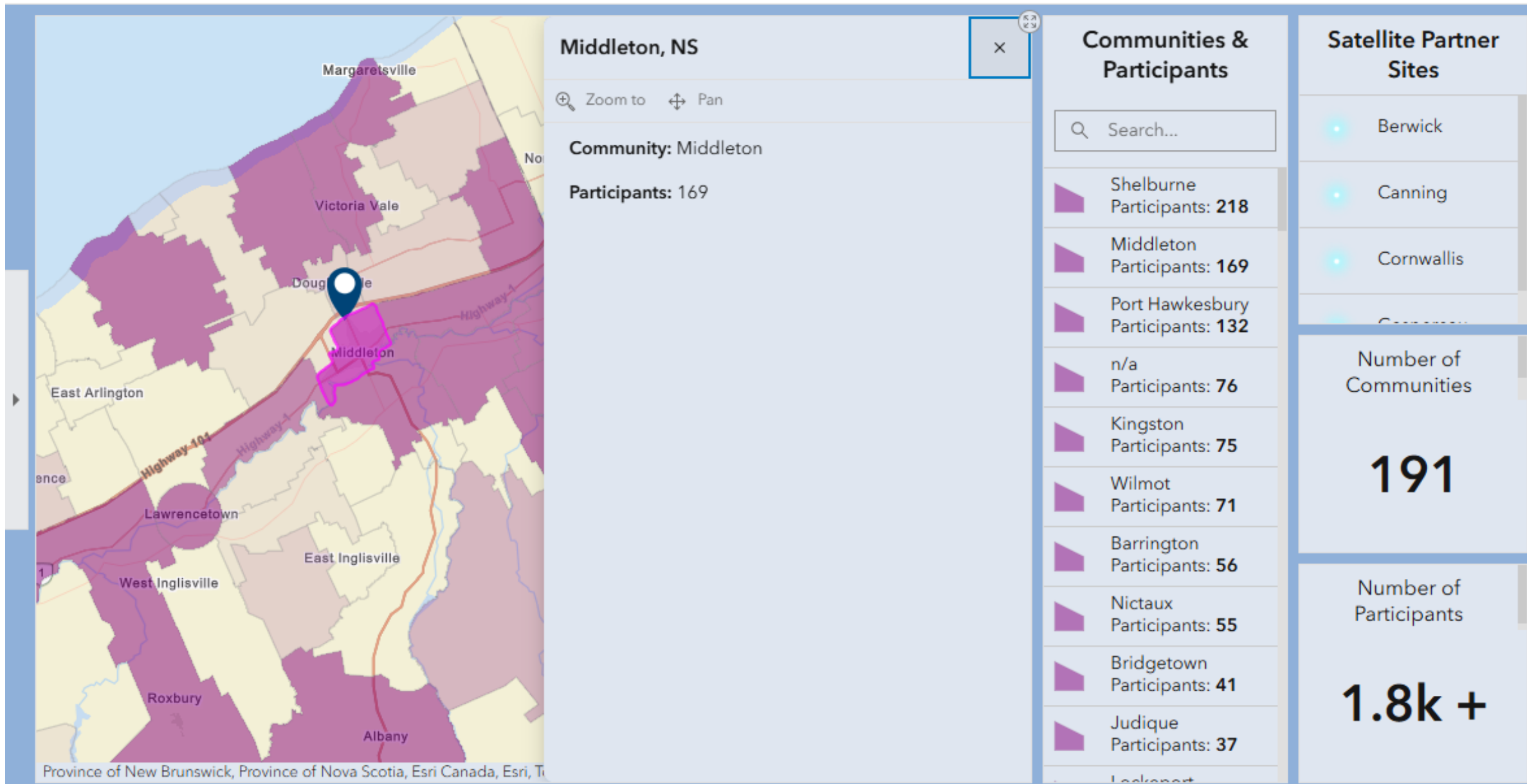
Diploma Programs

- IT Programming
- GIS Cartography & Geovisualization
- Geomatics Engineering Technology

Graduate Certificate Programs

- GIS
- GIS Remote Sensing
- Geospatial Data Analytics
- Marine Geomatics
- Climate Change Building Performance Technology





Grocery and Transit Access in the HRM

Amelia Barnes
GIS Graduate Certificate, 2025

Layers

- HRM Grocery Stores
- Bus Stops
- Streets
- Grocery Store Service Areas (Walking)
- Bus Stop Service Areas (Walking)
- Median Household Income
- Population

Selected features: 0

Sobeys Wyse Rd.	210 Wyse Rd.	Dartmouth
Sobeys Tacoma Dr.	60 Tacoma Dr.	Dartmouth
Sobeys Penhorn	551 Portland St.	Dartmouth
Sobeys Russell Lake	268 Baker Dr.	Dartmouth

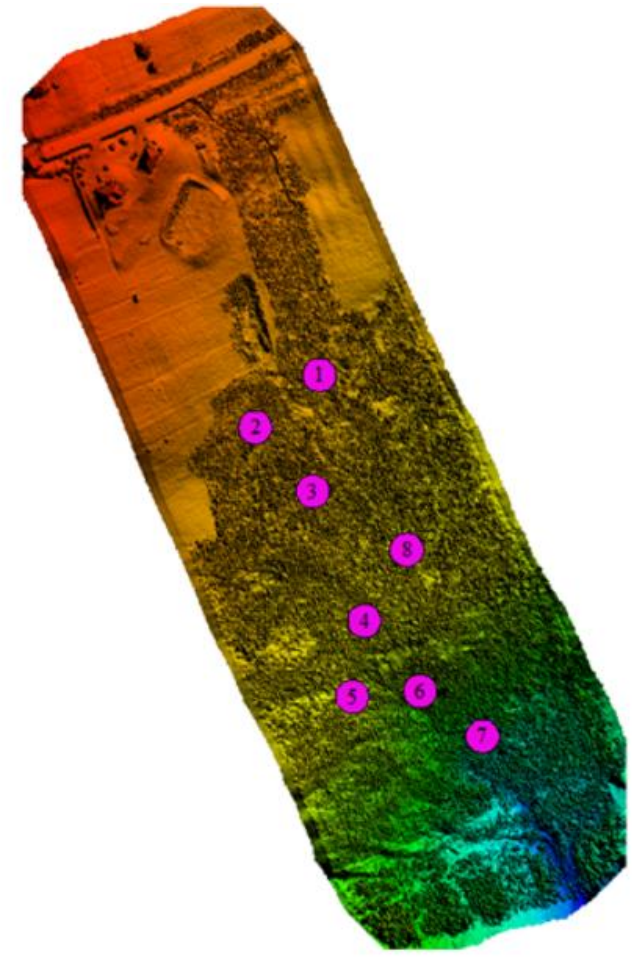
Total: 149 | Selection: 0

Data Credits Halifax Open Data, Statistics Canada

Disclaimer For educational purposes only. The grocery store layer was manually distilled from web searches and

Grocery Stores by Category

Category	Count (Approximate)
African	1
Asian	15
Bakery	10
Butcher	5
Convenience	2
Dry goods	2
European	2
Farmers' Ma...	2
Fishmonger	2
General	60
Latino	2
Middle East...	2
Produce	2
Vegan	2



A regular monthly meeting of Middleton Town Council was held in-person at the Town Hall, via Facebook Live on Tuesday, May 20, 2025, starting at 7:00pm.

PRESENT

Chairing the meeting, Mayor Gail Smith; Deputy Mayor Gary Marshall, Councillors Sandra Fournier, Bernadette Knapp, John Bartlett, Jonathan Archibald and Dan Smith; Chief Administrative Officer, Ashley Crocker; Communications and Events Coordinator, Gina Pearson, and Recording Secretary, Sara Marceau.

Also in Attendance:

1. **CALL TO ORDER**

Mayor Smith called the meeting to order at 7:00 pm.

2. **APPROVAL OF THE AGENDA**

250520.01 It was moved and seconded that Council approve the agenda as circulated.
Motion carried.

3. **PROCLAMATIONS**

3.1 Recreation Month

Mayor Smith proclaimed June 2025, as Recreation Month in Middleton.

3.2 National Indigenous History Month and National Indigenous Peoples Day

Mayor Smith proclaimed June 2025 as National Indigenous Month and June 21, 2025, as National Indigenous Peoples Day in Middleton.

3.3 AccessAbility Awareness Week

Mayor Smith proclaimed May 25 - 31, 2025 as AccessAbility Awareness Week in Middleton.

4. **APPROVAL OF THE MINUTES**

4.1 Approval of the Previous Meeting Minutes

2025.04.22 Council Meeting Minutes

2025.04.22 In-Camera Meeting Minutes

No errors or omissions were noted, and the minutes were considered approved.

5. ANYTHING BY CITIZENS

No comments given or received.

6. NEW BUSINESS

6.1 Committee of the Whole Recommendations

a. **RFD 019-2025 Memorandum of Understanding with The Salvation Army**

CAO Crocker provided a brief overview of the Memorandum of Understanding with The Salvation Army.

250520.02 It was moved and seconded that Town Council approve the Memorandum of Understanding between The Salvation Army Disaster Services, Atlantic Division, AND the Annapolis Regional Emergency Management Organization (Annapolis REMO), as recommended by the Annapolis REMO Advisory Committee. **Motion carried.**

6.2 **RFD 018-2025 Local Leadership for Climate Change**

CAO Crocker provided a brief overview of the Local Leadership for Climate Change RFD.

Councillor Archibald inquired whether the Clean Foundation is assisting with the grant application and also undertaking the work, or if an external consultant is being hired. CAO Crocker confirmed that her understanding was that an external consultant would be hired.

250520.03 It was moved and seconded that Town Council authorize the Mayor and CAO to submit an application to the Local Leadership for Climate Change Adaptation – Green Municipal Fund for the purpose of hiring a consultant to complete a community-wide climate risk assessment for Middleton, and Council supports the project and commits to provide a contribution of 10% of the contract value before HST, plus 100% of the non-rebate-able HST, up to a maximum total contribution of \$10,000. **Motion carried.**

6.3 **RFD 023-2025 Appointment List Update**

CAO Crocker provided a brief overview of the Appointment List Update.

250520.04 It was moved and seconded that Council, on recommendation from the CAO, remove Ning Liang as a Development Officer. **Motion carried.**

250520.05 It was moved and seconded that Council, on recommendation from the CAO, remove Dawn Sutherland as a Development Officer. **Motion carried.**

250520.06 It was moved and seconded that Council, on recommendation from the CAO, appoint Lauren Isabelle of Brighter Community Planning and Consulting as a Development Officer for the Town of Middleton. **Motion carried.**

250520.07 It was moved and seconded that Council approve the Appointment List, as presented.

6.4 **RFD 024-2025 Strategic Plan for 2025-2028**

CAO Crocker provided a brief overview of 2025-2025 Strategic Planning process.

Communications and Events Coordinator Pearson provided a brief overview of the Strategic Planning Focus Group and Survey.

A discussion was held regarding strategies to increase participation in future focus groups.

CAO Crocker noted that residents may not have a clear understanding of the daily responsibilities of staff, or the full scope of activities carried out at Town Hall. It has been suggested that providing educational information could help address this issue. The Communications Strategy will also help, once created and put into place.

250520.08 It was moved and seconded that Council approve the 2025-2028 Strategic Plan as presented. **Motion carried.**

7. REPORTS

- 7.1 Management Report
- 7.2 Middleton Fire Department Dispatch Report for April
- 7.3 Valley REN LOC Apr 14/25 DRAFT Minutes
- 7.4 PAC Public Participation Meeting Apr 15/25 DRAFT Minutes
- 7.5 IMSA Board Apr 16/25 DRAFT Minutes and Meeting Minutes
- 7.6 Joint Police Advisory Board Meeting Apr 17/25 DRAFT Minutes
- 7.7 IDEA Governance Committee Meeting Apr 17/25 DRAFT Minutes
- 7.8 Annapolis County Inter-Municipal Working Group Apr 24/25 DRAFT Minutes
- 7.9 Mayor's Report

Mayor Smith noted that the above reports were circulated to Council members with the agenda package and called for questions/discussion. No comments or questions were made by Council members.

- Councillor Archibald noted that the PAC Minutes should be corrected to reflect the name 'Dave Diggins' instead of 'Dave Higgins'.
- Councillor Smith noted that the meeting time for the IDEA Governance Committee should be corrected to 1:00pm, not 1:00am.
- Councillor Knapp inquired about any further progress on the Veterans sidewalk project.
 - CAO Crocker has been following up with DPW Verran and assured Councillor Knapp that staff are keeping tabs on the project.

8. CORRESPONDENCE

One (1) notice of correspondence was distributed to Council members.

8.1 April 24, 2025 Letter from Minister John Lohr re: Fire Records Management

9. ANYTHING BY MEMBERS

Councillor Archibald inquired about the status of the motorcycle club and whether a verification process is in place.

Councillor Bartlett also emphasized the importance of notifying the motorcycle club about the Noise Bylaw, suggesting that education and respect for the Town's regulations are key.

Deputy Mayor Marshall requested an overview of the motorcycle club's next steps.

- CAO Crocker stated that the next steps involve the Development Officer reviewing the file to assess the business' activities in relation to the Municipal Planning Strategy and Land Use Bylaw, and to determine whether it constitutes a permitted use and what permits are required.

Councillor Smith asked whether the splash pad could be included in the rental agreement, noting concerns about potential overuse.

Deputy Mayor Marshall suggested installing signage around the facility grounds regarding how to book town facilities for rentals.

Councillor Bartlett inquired about the wetlands project and whether the sign had arrived.

- CAO Crocker stated that there has not yet been an official opening for the wetlands, and staff are currently looking into the status of the sign.

Councillor Bartlett also noted that two plaques are missing information, and that water is seeping between the layers of acrylic.

Councillor Knapp thanked Public Works for providing the flags for the crosswalk.

10. IN-CAMERA

250520.09 It was moved and seconded to adjourn the meeting and move to in-camera at 8:01pm. **Motion carried.**

250520.10 It was moved and seconded to move out of camera at 9:02pm. **Motion carried.**

11. ADJOURNMENT

The Mayor declared the meeting adjourned at 9:03 pm.

Mayor

Recording Secretary

A Special Town of Middleton Council Meeting was held at the Town Hall, via Zoom and Facebook Live on Tuesday, May 27, 2025.

PRESENT

Chairing the meeting, Mayor Gail Smith; Deputy Mayor Gary Marshall, Councillors Jonathan Archibald, John Bartlett, Sandra Fournier, Bernadette Knapp, and Dan Smith; Chief Administrative Officer, Ashley Crocker and Recording Secretary, Sara Marceau.

Also in attendance: Seven (7) citizens

1. CALL TO ORDER

Mayor Smith called the meeting to order at 4:59pm.

2. APPROVAL OF THE AGENDA

250527.01 It was moved and seconded to approve the agenda, as circulated. **Motion carried.**

3. NEW BUSINESS

3.1 RFD 025-2025 Noise Bylaw Exemption

CAO Crocker gave a brief overview of the Application for Noise Bylaw Exemption Form for 438 Main Street.

250527.02 It was moved and seconded that Council approve a Noise Bylaw Exemption for the purposes of pouring the concrete foundation at 438 Main Street on Tuesday June 3, 2025, or if weather does not cooperate, on any other day in June, with notice to the Town of any date change. **Motion carried.**

4. ADJOURNMENT

The Mayor declared the meeting adjourned at 5:10pm.

MAYOR

RECORDING SECRETARY

**REQUEST FOR DECISION
Animal Control Agreement
RFD#: 026-2025**



To: COTW and Town Council
From: Ashley Crocker, CAO
Date: June 2, 2025, and June 16, 2025
Subject: Animal Control Agreement with Annapolis County: April 1, 2025 – March 31, 2030

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Animal Control Agreement for April 1, 2023 to March 31, 2025
- Proposed Animal Control Agreement for April 1, 2025, to March 31, 2030
- Animal Control By-law

Legislation

- Animal Control By-law

Recommendation

That Council approve the proposed Animal Control Agreement with the Municipality of the County of Annapolis effective April 1, 2025, to March 31, 2030, and direct the Mayor and CAO to execute the agreement.

Background

The Animal Control Agreement with the Municipality of the County of Annapolis (“Annapolis County”) expired on March 31, 2025. Annapolis County plans to approve the attached proposed Animal Control Agreement at their Council meeting on June 17, 2025. The Town’s next Council meeting is June 16, 2025.

The new agreement contains changes from the previous agreement, which are summarized on the next page.

The Town will also need to update its Animal Control Bylaw, to be consistent with the County’s. This will come to the June or July Council meeting for first reading.

REQUEST FOR DECISION
Animal Control Agreement
RFD#: 026-2025



Item	Previous Agreement	New (Proposed) Agreement
Services	Each Animal Control “event” will require the Town to pay Annapolis County \$75 per complaint.	Each Animal Control “event” will require the Town to pay Annapolis County \$80 per call.
Impounding Costs	\$30 impound fee and \$15 board fee for dogs	\$35 impound fee and \$20 per day boarding fee
Mileage	Mileage to respond to a complaint whether it is taken to the Animal Control Facility or not is calculated based on the current County of Annapolis mileage rate.	Mileage will be paid in response to a complaint regardless of the outcome of the call. The County uses the provincial mileage rate.
Impound Duration	Owner will have 7 days from Notice date before animal is euthanized.	Owner will have three (3) days from Notice date before animal is euthanized.
Dog Registration	The subject of dog registration was not discussed in the previous agreement. Town staff have not promoted dog tag registration in recent years.	At the option of the Town, the County may assume responsibility for dog registration and issuance of tags within the Town on a cost recovery basis. Registration records will be shared / updated with the Town at least twice per year.
Term of Agreement	2 years	5 years

Update:

The 72-hour holding period for stray dogs in the County is not new and has been in place for years. During this time, every effort is made to locate the owner, including repeated contact attempts and posting on Facebook and the NS Lost Dogs Network. After 72 hours, the dog becomes County property, and steps are taken to place it with a rescue organization.

The County partners with multiple rescues and has not euthanized any animal in the past decade unless it was seriously ill or deemed dangerous by a vet. Dogs are often held beyond 72 hours until a rescue or foster home is found, even if that takes weeks.

**REQUEST FOR DECISION
Animal Control Agreement
RFD#: 026-2025**



Financial Implications

Annapolis County has increased the fee for each animal complaint event by \$5 per call (from \$75 to \$80). Impound fees have also been increased by \$5 each.

In 2022-2023, total Animal Control Costs were \$550

In 2023-2024, total Animal Control Costs were \$1,119.60

In 2024-2025, total Animal Control costs billed were \$0.00.

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
	Infrastructure	
	Economy	
	Community	
X	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: June 16, 2025

This Agreement is made in duplicate and entered into this ____ day of _____, 2025.

BETWEEN:

Municipality of the County of Annapolis
hereafter called “the County”
OF THE FIRST PART

AND:

Town of Middleton
hereafter called “the Town”
OF THE SECOND PART

WHEREAS:

- The County owns and operates an Animal Control Facility (the “Pound”); and
- The County employs Bylaw Enforcement Officers appointed as Special Constables in accordance with Section 88 of the *Police Act* who are responsible for enforcement of bylaws in the County of Annapolis; and
- The Town wishes to enter into an agreement with the County to provide animal control services and enforce the Town’s Animal Control *Bylaw*.

NOW THEREFORE, the parties agree as follows:

1. Services

The County, through its Bylaw Enforcement Officers, agrees to respond to and enforce the provisions of the Town’s *Animal Control Bylaw* (or subsequent revised bylaw), specifically in relation to the following:

- Dog registration (optional subject to arrangement);
- Animals at large;
- Dog attacking or injuring a person or domestic animal;
- Owner failing to comply with notice to muzzle, securely leashing, or ensure a dog is under the control of a person not under 18 years of age when off the property of the owner;
- Owner failing to comply with notice to keep a dog securely restrained either indoors or in an escape-proof enclosure;
- Owner failing to remove feces of their animal from public or private property other than the owner’s;
- Dog persistently disturbing the quiet of the neighborhood;
- Owner keeping or harbouring a fierce or dangerous dog.

2. Fees

The Town agrees to compensate the County for services provided as follows:

Type of Service	Details	Fee
Respond to Animal Complaints	Regardless of outcome, each complaint received which results in follow-up investigation or picking up a dog	\$80 Per Call
Impound / Board Dog	Costs will be recovered from owner prior to release of dog If dog is not released / claimed by the owner, the Town will pay the County	\$35 impound fee \$20 per day boarding fee
Travel Costs	Mileage required in response to a complaint regardless of the outcome of the call	The County uses the provincial mileage rate
Extraordinary Costs	This could be relating to veterinarian care, as deemed necessary	Full cost recovery either the owner (if claimed) or the Town if not claimed

3. Appointment and Compliance

The Town shall annually appoint the County's Bylaw Enforcement Officers as its Animal Control Officer(s).

The Town shall provide the County with a current copy of the *Dog Bylaw* and notify the County promptly of any amendments.

The County shall promptly notify the Town of any personnel changes necessitating changes to appointment of Animal Control Officer(s).

4. Impound Duration

The County agrees to hold an impounded animal for not less than three (3) days from the date of notice to the owner, in accordance with the Town's Bylaw, prior to making arrangements for release to a rescue organization, adoption or euthanization (for humane reasons upon recommendation of a veterinary professional).

5. Dog Registration

At the option of the Town, the County may assume responsibility for dog registration and issuance of tags within the Town on a cost recovery basis. The County will sell and distribute dog tags, retain all associated fees, and maintain a record of all tags issued. Registration records will be shared / updated with the Town at least twice per year.

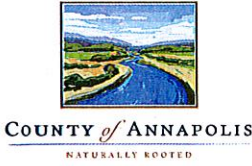
6. Term and Termination

This Agreement shall be effective as of the date of signing by both parties and shall remain in effect until March 31, 2030, unless terminated earlier. Either party may terminate this Agreement with thirty (30) days written notice by either party.

IN WITNESS WHEREOF

The parties hereto have executed this Agreement by their duly authorized officers as of the date first above written.

_____)	_____
Witness for the Town)	Town of Middleton
)	
_____)	_____
Witness for the Town)	Town of Middleton
)	
_____)	_____
Witness for the County)	Municipality of the County of Annapolis
)	
_____)	_____
Witness for the County)	Municipality of the County of Annapolis



752 St. George Street
Annapolis Royal, Nova Scotia, Canada B0S 1A0
Phone: (902) 532-2331 Fax: (902) 532-2096
Website: AnnapolisCounty.ca

Short Form Agreement for Supply of Work, Goods or Materials

The Provider

Provider: Town of Middleton
Address: 131 Commercial Street, Middleton, NS B0S 1P0
Contact Person: Ashely Crocker, Chief Administrative Officer
Phone Number: 902-825-4841
Cell Number: _____
Email Address: acrockertown.middleton.ns.ca

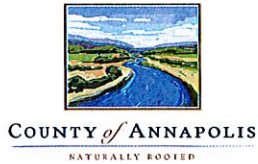
The Municipality of the County of Annapolis

Contact Person: Cheryl Mason, Manager of Protective Services
Phone Number: (902) 532-0691
Cell Number: (902) 840-3766
Email Address: cmason@annapoliscounty.ca

Terms of Agreement

Conditions and Special Provisions

1. Whereas the County owns and operates an Animal Control Facility (Pound), the Town hereby requests the County of Annapolis Animal Control Officer / Pound Keeper to respond to complaints under the Animal Control Bylaw for reports of a dog that: runs at large; attacked or injured a person or domestic animal, fails to comply with a notice to muzzle, securely leash, and ensure that the dog is under control of a person not under 18 years or age when the dog is off the property of the owner; who fails to comply with a notice to keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb or dig its ways out of while it is on the property of the owner; whose owner fails to remove feces from a public or private property; whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or owns, keeps or harbours a fierce or dangerous dog, and each event is subject to an administrative fee for staff costs in the amount of \$75.00 with an annual 2% cost of living increase.
2. The Town hereby agrees that its residents will be subject to the arrangements designated by the County for responding to such complaints and providing information received by Animal Control. Should the owner not pay the fee, the Town will reimburse the County based on the following fees for service:
 - a. Animal Complaints: \$75 to respond to each complaint which includes picking up the animal, obtaining information and/or taking pictures, whether the animal is picked up or not.
 - b. Impound Cost: \$30 impounding fee and \$15 per day board fee.
 - c. Travel Costs: Mileage to respond to a complaint whether it is taken to the Animal Control Facility or not is calculated based on the current County of Annapolis mileage rate.
 - d. Extraordinary Costs: Reimbursement for any expenses incurred by the Animal Control Officer in relation to the animal including costs for veterinarian care, as deemed necessary.



752 St. George Street
Annapolis Royal, Nova Scotia, Canada B0S 1A0
Phone: (902) 532-2331 Fax: (902) 532-2096
Website: AnnapolisCounty.ca

Page 2

Short Form Agreement for Supply of Work, Goods or Materials

The Town of Middleton

3. Whereas the Town annually appoints the respective County employee(s) as the Animal Control Officer(s) for the Town; the Town agrees to compensate the County for providing animal control services in the amount set forth above as the need arises. The Town also agrees to provide a current copy of its By-law and promptly apprise the County of any amendments thereto.
4. The start date for this Agreement is April 1, 2023 and it expires on March 31, 2025.
5. The Town agrees the County will make arrangements with a local veterinarian or animal society for the disposition of the animal not less than Seven (7) days from date of Notice to Owner as outlined in the Town's Animal Control Bylaw.
6. The Town shall keep the County up to date on dog tags sold for the ability to contact the owner should a tag be identified.
7. The Agreement may be terminated within thirty (30) days upon written notice from either party.

I/We understand and agree to the Terms and Conditions, which form part of this Agreement.

TOWN OF MIDDLETON

Ashley Crocker
Ashley Crocker, Chief Administrative Officer

Ashley Crocker
Print Name

March 29, 2023
Date

This Agreement is hereby accepted and approved on behalf of The Municipality of the County of Annapolis

[Signature]

Candace Young

April 13, 2023
Date

April 13, 2023
Date

Original: Vault

- Department Manager
- Finance
- The Provider

ANIMAL CONTROL BYLAW

TITLE

1. This Bylaw is entitled the “Animal Control Bylaw” and is intended to outline the control of animals in the Town of Middleton.

DEFINITIONS

2. In this Bylaw:
 - a. “**Animal**” means a dog or cat;
 - b. “**Animal Control Officer**” means a person appointed by the Town of Middleton pursuant to the provisions of Section 44 of the Police Act, and who is responsible for the enforcement of this Bylaw;
 - c. “**Cat**” means a feline of any breed of domesticated cat or crossbreed domesticated cat;
 - d. “**Chief Administrative Officer**” means the Chief Administrative Officer for the Town;
 - e. “**Destroy**” means kill;
 - f. “**Dog**” means any dog, male or female, or any animal that is the result of the breeding of a dog and any other animal;
 - g. “**Extraordinary Expense**” means any expense incurred in relation to an animal except for provision of food and shelter;
 - h. “**Fierce or Dangerous Dog**” means any dog:
 - i. that, in the absence of a mitigating factor as defined herein, has attacked, or injured a person;
 - ii. that, in the absence of a mitigating factor as defined herein, has attacked, or injured a domestic animal;
 - iii. that, in the absence of a mitigating factor as defined herein, approaches any person or domestic animal in an apparent attitude of attack, upon streets, sidewalks, any public grounds or places, or on private property other than the property of the Owner;
 - iv. trained or used for dog fighting;
 - v. that is rabid or appears to be rabid or exhibiting symptoms of canine madness.
 - i. “**Impound**” means to seize and hold in custody;
 - j. “**Impounding Fees**” mean any such fees as is set by Policy of Council for the cost of impounding an animal by the Animal Control Officer;
 - k. “**Mitigating Factor**” means a circumstance that may excuse the dangerous behaviour of a dog, and without limiting the generality of the foregoing, may include:
 - i. aggressive behaviour while acting in defense of an attack by a person or domestic animal;
 - ii. aggressive behaviour while acting in defense of its young;
 - iii. aggressive behaviour as a reaction to a person or domestic animal trespassing on the property of its Owners;
 - iv. aggressive behaviour resulting from being teased, provoked, or tormented;
 - v. aggressive behaviour caused by the complainant leaving food or attractants of any type out of doors;
 - vi. the dog is a professionally trained dog lawfully engaged in law enforcement duties under the control of a law enforcement officer.
 - l. “**Owner**” of an animal includes any person who possesses, has the care of, has the control of, or harbours an animal and, where the person is a minor, includes a person with custody of the minor;
 - m. “**Service Dog**” means a dog that is trained to assist a person with a disability;
 - n. “**Town**” means the Town of Middleton.

REGISTRATION

3. Town residents have the option to register their dog, on a volunteer basis, and receive a dog tag for identification purposes and shall pay a registration fee in accordance with the Town of Middleton Fees Policy.
4. The Town shall keep a record of every dog registered, including the following information:

- a. registration date;
 - b. registration number;
 - c. Name, civic address, mailing address, email address and telephone number(s) of the Owner;
 - d. name and breed of the dog;
 - e. description of dog, including where appropriate, proof that the dog has been spayed or neutered;
 - f. registration fee.
5. A Service Dog is exempt from any registration fee.
 6. The Town shall supply to each Owner of a registered dog a tag and the Owner shall affix the tag to the dog for identification purposes.
 7. If an Owner files with the Town a written confirmation that the dog tag has been lost or destroyed and pays a replacement fee, in the amount set out in the Town of Middleton Fees Policy, the Town shall provide a replacement dog tag.
 8. The Owner of a dog shall deliver in writing to the Town a statement of the number of dogs owned or harboured, or that are habitually kept upon the premises occupied by the Owner within ten (10) days after having received notice requiring it to be provided.

ANIMAL CONTROL OFFICER

9. The Town shall appoint an Animal Control Officer as a Bylaw Enforcement Officer under the terms (s.89) of the *Police Act* 2004, c.31, s.1 and its associated Regulations, who shall be responsible for enforcing the provisions of this Bylaw.

CONTRAVENTION OF BYLAW

10. Every Owner is in contravention of the Bylaw:
 - a. whose dog runs at large; or
 - b. whose dog has attacked or injured a person; or
 - c. whose dog has attacked or injured a domestic animal; or
 - d. who fails to comply with a notice to muzzle, securely leash, and ensure that the dog is under the control of a person not under 18 Years of age when the dog is off the property of the Owner; or
 - e. who fails to comply with a notice to keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb or dig its way out of while it is on the property of the Owner; or
 - f. who fails to remove the feces of his/her animal from public property or private property, other than the Owners; or
 - g. whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or
 - h. who owns, keeps or harbours a fierce or dangerous dog.

Each contravention is a separate offence and subject to a separate charge.

ANIMALS AT LARGE

11. The Animal Control Officer may, without notice to or complaint against the Owner, impound any animal that runs at large contrary to this Bylaw.
12. When an animal is impounded, the Animal Control Officer shall check for a tag or electronic identification device. If a tag or electronic identification device is found, the Animal Control Officer shall make at least one attempt to contact the Owner of the animal. However, it remains the responsibility of the Owner of a missing animal to contact the Animal Control Officer to ascertain whether the animal has been impounded.
13. If an animal has not been recovered by its Owner at the expiry of a period of seventy-two (72) hours after being impounded, the Animal Control Officer will contact the Chief Administrative Officer for direction.
14. Whenever the seventy-two (72) hours of impounding time expires on a weekend or holiday, the Animal Control Officer shall hold each animal until the end of the first business day following the weekend or holiday to permit the Owner to recover the animal.
15. Where an animal is injured, ill or diseased before or after being impounded such that in the opinion of the Animal Control Officer it should receive veterinary treatment without delay for humane reasons, the animal may receive treatment or be destroyed without giving notice to the Owner or permitting any person to recover the animal prior to receiving treatment.
16. Upon verification of proof of Ownership, the Owner of an animal, which has been impounded for being at large may recover the animal after making payment (or satisfactory arrangements for payment) of:

- a. an impounding fee (in accordance with the Town of Middleton Fees Policy);
 - b. a daily pound fee (in accordance with the Town of Middleton Fees Policy);
 - c. all travel expenses incurred by the Town;
 - d. all necessary veterinary costs incurred to care for the dog;
 - e. reimbursement for any extraordinary expenses incurred by the Animal Control Officer in relation to the animal.
17. If an animal is not released to its Owner, the fees, expenses, and costs payable in Section 16 may be recovered by the Town from the Owner as a debt.
18. In a circumstance that the previous warnings or tickets have been given to the Owner of an animal which has been at large, the Animal Control Office, in consultation with the Chief Administrative Officer, may refuse to permit the Owner to recover the animal. Any animal which is not permitted to be recovered by its Owner may be given away.

FIERCE OR DANGEROUS DOGS

19. Where a dog is fierce or dangerous, the Animal Control Officer may do any one or a combination of the following:
- a. impound the dog;
 - b. issue the Owner a notice to muzzle, securely leash, and ensure that the dog is under the control of a person not under 18 years of age when the dog is off the property of the Owner of the dog;
 - c. issue the Owner a notice to keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb, or dig its way out while it is on the property of the Owner.
20. Where a dog poses an imminent danger to a person or a domestic animal, the Animal Control Officer may:
- a. have the dog destroyed on sight; or
 - b. have the dog destroyed after capture.
21. If a notice has been issued to the Owner in accordance with Section 19, the Owner may recover the dog after making payment (or satisfactory arrangements for payment) of:
- a. an impounding fee (in accordance with the Town of Middleton Fees Policy);
 - b. a daily pound fee (in accordance with the Town of Middleton Fees Policy);
 - c. all travel expenses incurred by the Town;
 - d. all necessary veterinary costs incurred to care for the dog;
 - e. reimbursement for any extraordinary expenses incurred by the Animal Control Officer in relation to the dog.
22. Where a dog impounded in accordance with Section 19 is injured, ill or diseased before or after being impounded such that in the opinion of the Animal Control Officer it should be destroyed without delay for humane reasons, the dog may be destroyed in a humane manner without giving notice to the Owner or permitting any person to recover the animal.
23. If a dog is destroyed, the fees, expenses and costs payable in Section 21 may be recovered by the Town from the Owner as a debt.
24. The failure of the Owner to comply with any notice issued in accordance with Section 21 shall be an offence under this Bylaw.

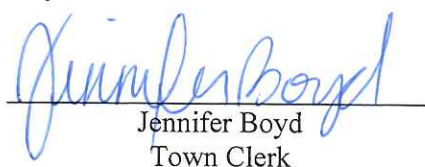
PENALTY

25. Any person who contravenes any provision of this Bylaw, or fails to pay any tax or fee required to be paid by this Bylaw, is punishable on summary conviction by a fine of not less than \$200 and not more than \$1,000 and to imprisonment of not more than three months in default of payment thereof.

REPEALS

26. Any previous Dog or Impounding of Animals Bylaws and amendments are repealed upon coming into force of this Bylaw.

I, Jennifer Boyd, Town Clerk of the Town of Middleton, do hereby certify that the Bylaw, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the 20th day of July, 2020.


Jennifer Boyd
Town Clerk



Bylaw Adoption	
Date of First Reading:	April 6, 1999
Publication of Notice of Intent:	April 14, 1999
Date of 2 nd Reading & Passing:	May 3, 1999
Date of Publication of Notice of Passing:	May 12, 1999
Description: Passing of Original Bylaw	
First Amendment	
Date of First Reading:	June 15, 2020
Publication of Notice of Intent:	June 27, 2020
Date of 2 nd Reading & Passing:	July 20, 2020
Date of Publication of Notice of Passing:	July 25, 2020
Description: First Amendment to the Dog/Animal Bylaw amends this Bylaw by changing name to Animal Control Bylaw, merges the Dog and Impounding of Animals Bylaws to form one bylaw called the Animal Control Bylaw, moves the fees from the Dog and Impounding of Animals Bylaws to the Fees Policy.	

REQUEST FOR DECISION
Dog Bylaw
RFD#: 030-2025



To: Town Council
From: Ashley Crocker, CAO
Date: June 16, 2025
Subject: Dog Bylaw

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Draft Dog Bylaw
- Current Animal Control Bylaw

Legislation

- *MGA, Section 175-176*

Recommendation

That Council give first reading to Chapter 60, the Dog Bylaw.

Background

Staff recommend repealing the Chapter 12 Animal Control Bylaw, and replacing it with Chapter 60, the Dog Bylaw. The Dog Bylaw will be enforced by the County of Annapolis. Town staff have also brought forward RFD 026-2025 which covers the new Animal Control Agreement with the County of Annapolis. In discussions with the County, the suggestion was made for the Town to update its bylaw to match that of the County (so long as this made sense for the Town) so that the Animal Control Officers could apply the same rules throughout all the areas they cover.

The next steps for the bylaw are as follows:

1. Notice of Second Reading ad must be posted on the Town's website OR published in a local paper 14 days prior to second reading
2. Council gives Second Reading of the bylaw
3. Once Council gives Second Read of the bylaw, a Notice of Adoption ad must sent to the local newspaper OR posted on the Town's website
4. The bylaw and documents become effective on date of publication

REQUEST FOR DECISION
Dog Bylaw
RFD#: 030-2025



- 5. The Town Clerk must certify a copy of the bylaw document with the Town seal
- 6. A certified copy of the bylaw must be sent to the Minister

Financial Implications

N/A

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
X	Environment	
	Infrastructure	
	Economy	
X	Community	
	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: June 16, 2025

**TOWN OF MIDDLETON
DOG BYLAW**

Short Title

1. This Bylaw may be cited as the “Dog Bylaw”.

Definitions

2. Except as provided below, terms used in this policy shall have the same meaning as in the Municipal Government Act, or as their context applies according to a dictionary of the English language:
 - (1) “at large” means:
 - (a) off the premises of the owner without being on a leash or under the effective care and control at all times of a responsible and capable person; or
 - (b) on a tether of sufficient length to permit the dog to wander beyond the property boundaries of the premises of the owner.
 - (2) “extraordinary expense” means any expense incurred by the Municipal Unit in relation to a dog except for provision of food and shelter;
 - (3) “fierce or dangerous dog” means any dog:
 - (a) that, in the absence of a mitigating factor as defined herein, has attacked or injured a person;
 - (b) that, in the absence of a mitigating factor as defined herein, has attacked or injured a domestic animal;
 - (c) that, in the absence of a mitigating factor as defined herein, approaches any person or domestic animal in an apparent attitude of attack upon streets, sidewalks, any public grounds or places, or on private property other than the property of the owner;
 - (d) trained or used for dog fighting; or
 - (e) that is rabid or appears to be rabid or exhibiting symptoms of canine madness.
 - (4) “mitigating factor” means a circumstance that may excuse the dangerous behaviour of a dog and, without limiting the generality of the foregoing, may include:
 - (a) aggressive behavior while acting in defense of an attack by a person or domestic animal;
 - (b) aggressive behaviour while acting in defense of its young;
 - (c) aggressive behavior as a reaction to a person or domestic animal trespassing on the property of its owner;

- (d) aggressive behaviour resulting from being teased, provoked, or tormented;
 - (e) aggressive behavior caused by the complainant leaving food or attractants of any type out of doors;
 - (f) the dog is a professionally trained dog lawfully engaged in law enforcement duties under the control of a law enforcement officer.
- (5) "Town Staff" means a town employee designated by the Chief Administrative Officer (CAO) to act on the Town's behalf for the purpose of enforcing this Bylaw.
- (6) "Town" means the Town of Middleton;

Registration

- 3. Town residents have the option to register their dog and receive a dog tag on a volunteer basis for a one-time fee as set by Town Council from time to time by policy or motion.
- 4. The registration can be transferred to a subsequent dog, with the registration information updated.
- 5. A fee as set by Town Council from time to time by policy or motion is required for a replacement tag.
- 6. Residents may register their dog and receive a tag at the Annapolis Royal or Middleton Municipal Offices.

Administration of Bylaw

- 7. The Municipal Unit shall be responsible for the enforcement of this Bylaw.
- 8. Municipal Staff shall collect on behalf of the Town any impounding fees, daily pound fees and any other additional expenses, charges or fees as are authorized in this Bylaw.
- 9. The Municipal Unit shall protect the confidentiality of all persons involved in an investigation to the greatest extent possible, except as may be required to be disclosed for court prosecution and in accordance with Part XX, *Municipal Government Act* (Freedom of Information and Protection of Privacy).

Contravention of Bylaw

10. Every owner:
- (1) whose dog runs at large; or
 - (2) whose dog has attacked or injured a person; or
 - (3) whose dog has attacked or injured a domestic animal; or
 - (4) who fails to comply with a notice to muzzle, securely leash, and ensure that the dog is under

the control of a person not under 18 years of age when the dog is off the property of the owner the dog; or

- (5) who fails to comply with a notice to keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb or dig its way out; or
- (6) who fails to remove the feces of their dog from public property or private property other than the owners; or
- (7) whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or
- (8) who owns, keeps or harbours a fierce or dangerous dog is guilty of an offence under this Bylaw. Each contravention is a separate offence and subject to a separate charge.

Dogs Barking

11. No dog shall be permitted to persistently disturb the quiet of a neighbourhood by barking, howling or otherwise making noise to a degree beyond what the Bylaw Enforcement Officer determines to be normal.
12. In determining what is “normal” in the context of this section, the Bylaw Enforcement Officer shall consider one or more, but not limited to, the following factors:
 - a) The time of day that the dog is reported as disruptive.
 - b) The frequency and duration of the reported disruptive behaviour.
 - c) The proximity of neighbours and population density of the neighbourhood.
13. The owner of a dog which persistently disturbs the quiet of a neighbourhood within the meaning of this part commits an offence under this Bylaw. If the Bylaw Enforcement Officer determines, upon reasonable grounds, that a dog is being disruptive, as defined in this section, the Bylaw Enforcement Officer shall give a written warning to the dog owner before taking any other action under this Bylaw.

Dogs at Large

14. The Municipal Unit may, without notice to or complaint against the owner, impound any dog that runs at large contrary to this Bylaw.
15. When a dog is impounded, the Municipal Unit shall check for a tag or electronic identification device. If a tag or electronic identification device is found, the Municipal Unit shall make at least one attempt to contact the owner of the dog. However, it remains the responsibility of the owner of a missing dog to contact the Municipal Unit to ascertain whether the dog has been impounded.
16. Any dog which has not been recovered by its owner at the expiry of a period of 72 hours after being impounded may be given away or humanely euthanized.

17. Whenever the 72 hours of impounding time expires on a weekend or holiday, the Municipal Unit shall hold such dog until the expiry of the first business day following the weekend or holiday to permit the owner to recover the dog.
18. Where a dog is injured, ill or diseased before or after being impounded such that in the opinion of the Municipal Unit and on the advice of a veterinarian it should be euthanized without delay for humane reasons, the dog may be euthanized in a humane manner without giving notice to the owner or permitting any person to recover the animal.
19. Where a dog is injured, ill or diseased before or after being impounded such that in the opinion of the Municipal Unit it should receive veterinary treatment without delay for humane reasons, the dog may receive treatment without giving notice to the owner or permitting any person to recover the animal prior to receiving treatment.
20. Upon verification of proof of ownership, the owner of a dog which has been impounded for being at large may recover the dog after making payment (or satisfactory arrangements for payment) of:
 - (1) an impounding fee (as set by Town Council from time to time by policy or practice);
 - (2) a daily pound fee (as set by Town Council from time to time by policy or practice);
 - (3) all travel expenses incurred by the Municipal Unit;
 - (4) all necessary veterinary costs incurred to care for the dog;
 - (5) reimbursement for any extraordinary expenses incurred by the Municipal Unit in relation to the dog; and
 - (6) a mandatory registration fee (tag and / or microchip at the discretion of the Municipal Unit).
21. If a dog is not released to its owner, the fees, expenses and costs payable in Section 16 may be recovered by the Municipal Unit from the owner as a debt.
22. In a circumstance that previous warnings or tickets have been given to the owner of a dog which has been at large, the Municipal Unit may refuse to permit the owner to recover the dog. Any dog which is not permitted to be recovered by its owner may be given away or humanely euthanized.

Fierce or Dangerous Dogs

23. If a dog is fierce or dangerous, the Municipal Unit may do any one or a combination of the following:
 - (1) impound the dog;
 - (2) issue the owner a notice to muzzle, securely leash, and ensure that the dog is under the control of a person not under 18 years of age when the dog is off the property of the dog owner;

- (3) issue the owner a notice to keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb or dig its way out.
24. If in the opinion of the Municipal Unit a dog is an imminent threat to the safety of humans or domestic animals, the Municipal Unit may have the dog destroyed without permitting the owner to recover it and issue a notice to the owner informing that the dog has been destroyed.
25. If a notice has been issued to the owner in accordance with Section 19, the owner may recover the dog after making payment (or satisfactory arrangements for payment) of:
 - (1) an impounding fee (as fixed by policy or motion);
 - (2) a daily pound fee (as fixed by policy or motion);
 - (3) all travel expenses incurred by the Municipal Unit;
 - (4) all necessary veterinary costs incurred to care for the dog; and
 - (5) reimbursement for any extraordinary expenses incurred by Municipal Staff in relation to the dog;
 - (6) a mandatory registration fee.
26. Where a dog impounded in accordance with Section 19 is injured, ill or diseased before or after being impounded such that in the opinion of the Municipal Unit it should be destroyed without delay for humane reasons, the dog may be euthanized in a humane manner without giving notice to the owner or permitting any person to recover the animal.
27. If a dog is euthanized, the fees, expenses and costs payable in Section 21 may be recovered by the Municipal Unit from the owner as a debt.
28. The failure of the owner to comply with any notice issued in accordance with Section 19 shall be an offence under this Bylaw.

Penalty

29. Any person who contravenes any provision of this Bylaw is punishable on summary conviction by a fine of not less than \$200.00 and not more than \$1,000 for a first offence; and not less than \$300.00 and not more than \$1,000 for a second offence; and not less than \$400.00 and not more than \$1,000 for a third or subsequent offence.

Repeal

30. A Bylaw known as Animal Control Bylaw, dated May 12, 1999, and amended July 25, 2020, is hereby repealed.



Bylaw Adoption	
Date of First Reading:	June 16, 2025
Publication of Notice of Intent:	
Date of 2 nd Reading & Passing:	
Date of Publication of Notice of Passing:	
Description: Passing of Original Bylaw	
Description: The initial approval of the Dog Bylaw, Chapter 60, which includes the repeal of the previous Animal Control Bylaw, Chapter 12 approved July 20, 2020.	

DRAFT

ANIMAL CONTROL BYLAW

TITLE

1. This Bylaw is entitled the "Animal Control Bylaw" and is intended to outline the control of animals in the Town of Middleton.

DEFINITIONS

2. In this Bylaw:
 - a. "Animal" means a dog or cat;
 - b. "Animal Control Officer" means a person appointed by the Town of Middleton pursuant to the provisions of Section 44 of the Police Act, and who is responsible for the enforcement of this Bylaw;
 - c. "Cat" means a feline of any breed of domesticated cat or crossbreed domesticated cat;
 - d. "Chief Administrative Officer" means the Chief Administrative Officer for the Town;
 - e. "Destroy" means kill;
 - f. "Dog" means any dog, male or female, or any animal that is the result of the breeding of a dog and any other animal;
 - g. "Extraordinary Expense" means any expense incurred in relation to an animal except for provision of food and shelter;
 - h. "Fierce or Dangerous Dog" means any dog:
 - i. that, in the absence of a mitigating factor as defined herein, has attacked, or injured a person;
 - ii. that, in the absence of a mitigating factor as defined herein, has attacked, or injured a domestic animal;
 - iii. that, in the absence of a mitigating factor as defined herein, approaches any person or domestic animal in an apparent attitude of attack, upon streets, sidewalks, any public grounds or places, or on private property other than the property of the Owner;
 - iv. trained or used for dog fighting;
 - v. that is rabid or appears to be rabid or exhibiting symptoms of canine madness.
 - i. "Impound" means to seize and hold in custody;
 - j. "Impounding Fees" mean any such fees as is set by Policy of Council for the cost of impounding an animal by the Animal Control Officer;
 - k. "Mitigating Factor" means a circumstance that may excuse the dangerous behaviour of a dog, and without limiting the generality of the foregoing, may include:
 - i. aggressive behaviour while acting in defense of an attack by a person or domestic animal;
 - ii. aggressive behaviour while acting in defense of its young;
 - iii. aggressive behaviour as a reaction to a person or domestic animal trespassing on the property of its Owners;
 - iv. aggressive behaviour resulting from being teased, provoked, or tormented;
 - v. aggressive behaviour caused by the complainant leaving food or attractants of any type out of doors;
 - vi. the dog is a professionally trained dog lawfully engaged in law enforcement duties under the control of a law enforcement officer.
 - l. "Owner" of an animal includes any person who possesses, has the care of, has the control of, or harbours an animal and, where the person is a minor, includes a person with custody of the minor;
 - m. "Service Dog" means a dog that is trained to assist a person with a disability;
 - n. "Town" means the Town of Middleton.

REGISTRATION

3. Town residents have the option to register their dog, on a volunteer basis, and receive a dog tag for identification purposes and shall pay a registration fee in accordance with the Town of Middleton Fees Policy.
4. The Town shall keep a record of every dog registered, including the following information:

- a. registration date;
 - b. registration number;
 - c. Name, civic address, mailing address, email address and telephone number(s) of the Owner;
 - d. name and breed of the dog;
 - e. description of dog, including where appropriate, proof that the dog has been spayed or neutered;
 - f. registration fee.
5. A Service Dog is exempt from any registration fee.
 6. The Town shall supply to each Owner of a registered dog a tag and the Owner shall affix the tag to the dog for identification purposes.
 7. If an Owner files with the Town a written confirmation that the dog tag has been lost or destroyed and pays a replacement fee, in the amount set out in the Town of Middleton Fees Policy, the Town shall provide a replacement dog tag.
 8. The Owner of a dog shall deliver in writing to the Town a statement of the number of dogs owned or harboured, or that are habitually kept upon the premises occupied by the Owner within ten (10) days after having received notice requiring it to be provided.

ANIMAL CONTROL OFFICER

9. The Town shall appoint an Animal Control Officer as a Bylaw Enforcement Officer under the terms (s.89) of the *Police Act* 2004, c.31, s.1 and its associated Regulations, who shall be responsible for enforcing the provisions of this Bylaw.

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 - a. whose dog runs at large; or
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 - d. who fails to comply with a notice to muzzle, securely leash, and ensure that the dog is under the control of a person not under 18 Years of age when the dog is off the property of the Owner; or
 - e. who fails to comply with a notice to keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb or dig its way out of while it is on the property of the Owner; or
 - f. who fails to remove the feces of his/her animal from public property or private property, other than the Owners; or
 - g. whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or
 - h. who owns, keeps or harbours a fierce or dangerous dog.

Each contravention is a separate offence and subject to a separate charge.

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11. The Animal Control Officer may, without notice to or complaint against the Owner, impound any animal that runs at large contrary to this Bylaw.
12. When an animal is impounded, the Animal Control Officer shall check for a tag or electronic identification device. If a tag or electronic identification device is found, the Animal Control Officer shall make at least one attempt to contact the Owner of the animal. However, it remains the responsibility of the Owner of a missing animal to contact the Animal Control Officer to ascertain whether the animal has been impounded.
13. If an animal has not been recovered by its Owner at the expiry of a period of seventy-two (72) hours after being impounded, the Animal Control Officer will contact the Chief Administrative Officer for direction.
14. Whenever the seventy-two (72) hours of impounding time expires on a weekend or holiday, the Animal Control Officer shall hold each animal until the end of the first business day following the weekend or holiday to permit the Owner to recover the animal.
15. Where an animal is injured, ill or diseased before or after being impounded such that in the opinion of the Animal Control Officer it should receive veterinary treatment without delay for humane reasons, the animal may receive treatment or be destroyed without giving notice to the Owner or permitting any person to recover the animal prior to receiving treatment.
16. Upon verification of proof of Ownership, the Owner of an animal, which has been impounded for being at large may recover the animal after making payment (or satisfactory arrangements for payment) of:

- a. an impounding fee (in accordance with the Town of Middleton Fees Policy);
 - b. a daily pound fee (in accordance with the Town of Middleton Fees Policy);
 - c. all travel expenses incurred by the Town;
 - d. all necessary veterinary costs incurred to care for the dog;
 - e. reimbursement for any extraordinary expenses incurred by the Animal Control Officer in relation to the animal.
17. If an animal is not released to its Owner, the fees, expenses, and costs payable in Section 16 may be recovered by the Town from the Owner as a debt.
18. In a circumstance that the previous warnings or tickets have been given to the Owner of an animal which has been at large, the Animal Control Office, in consultation with the Chief Administrative Officer, may refuse to permit the Owner to recover the animal. Any animal which is not permitted to be recovered by its Owner may be given away.

FIERCE OR DANGEROUS DOGS

19. Where a dog is fierce or dangerous, the Animal Control Officer may do any one or a combination of the following:
- a. impound the dog;
 - b. issue the Owner a notice to muzzle, securely leash, and ensure that the dog is under the control of a person not under 18 years of age when the dog is off the property of the Owner of the dog;
 - c. issue the Owner a notice to keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb, or dig its way out while it is on the property of the Owner.
20. Where a dog poses an imminent danger to a person or a domestic animal, the Animal Control Officer may:
- a. have the dog destroyed on sight; or
 - b. have the dog destroyed after capture.
21. If a notice has been issued to the Owner in accordance with Section 19, the Owner may recover the dog after making payment (or satisfactory arrangements for payment) of:
- a. an impounding fee (in accordance with the Town of Middleton Fees Policy);
 - b. a daily pound fee (in accordance with the Town of Middleton Fees Policy);
 - c. all travel expenses incurred by the Town;
 - d. all necessary veterinary costs incurred to care for the dog;
 - e. reimbursement for any extraordinary expenses incurred by the Animal Control Officer in relation to the dog.
22. Where a dog impounded in accordance with Section 19 is injured, ill or diseased before or after being impounded such that in the opinion of the Animal Control Officer it should be destroyed without delay for humane reasons, the dog may be destroyed in a humane manner without giving notice to the Owner or permitting any person to recover the animal.
23. If a dog is destroyed, the fees, expenses and costs payable in Section 21 may be recovered by the Town from the Owner as a debt.
24. The failure of the Owner to comply with any notice issued in accordance with Section 21 shall be an offence under this Bylaw.

PENALTY

25. Any person who contravenes any provision of this Bylaw, or fails to pay any tax or fee required to be paid by this Bylaw, is punishable on summary conviction by a fine of not less than \$200 and not more than \$1,000 and to imprisonment of not more than three months in default of payment thereof.

REPEALS

26. Any previous Dog or Impounding of Animals Bylaws and amendments are repealed upon coming into force of this Bylaw.

I, Jennifer Boyd, Town Clerk of the Town of Middleton, do hereby certify that the Bylaw, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the 20th day of July, 2020.


Jennifer Boyd
Town Clerk



Bylaw Adoption	
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Publication of Notice of Intent:	April 14, 1999
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Description: First Amendment to the Dog/Animal Bylaw amends this Bylaw by changing name to Animal Control Bylaw, merges the Dog and Impounding of Animals Bylaws to form one bylaw called the Animal Control Bylaw, moves the fees from the Dog and Impounding of Animals Bylaws to the Fees Policy.	

**REQUEST FOR DECISION
Replacement Pump at STP
RFD#: 027-2025**



To: Town Council
From: Adam Verran, Director of Public Works
Date: June 16, 2025
Subject: Replacement of a Submersible Pump at the Sewer Treatment Plan (STP)

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Quote for new Pump from APS - Sales Quotation_29961_20250515_122909PM
- Quote for Repairs to old pump from APS - Sales Quotation_29453_20250415_24250PM

Legislation

- *Municipal Government Act*

Recommendation

That Town Council approve a supplemental budget of \$15,000 (before HST) for the Sewer Treatment Plant Pump Replacement capital project.

That Town Council approve utilizing up to \$15,000 (plus HST) from the Sewer Capital Reserve to fund the replacement of the sewer treatment plant submersible pump.

Background

In March one of the pumps at the Sewer Treatment Plant stopped working. It was pulled and assessed and determined to have an issue. It was sent away for repair. Upon inspection by the mechanic, it was determined that the bearing and the bearing housing assembly were damaged by a foreign object, there was some leaking around the motor and gears, and the cost to repair was \$7,430. We received an estimate of the cost to purchase a new pump at \$11,106. The pump is more than 5 years old and there could be other damage.

REQUEST FOR DECISION
Replacement Pump at STP
RFD#: 027-2025



This project is classified as a “low value procurement¹” in accordance with the Procurement and Purchasing Policy. For “low value procurement” having a value of \$10,001 or more, the Procurement and Purchasing Policy gives the Chief Administrative Officer the authority to approve.

The Policy states that the goods and services can be procured by obtaining three quotes or by public tender. However, the Public Works Department only obtained quotes from one company. This was because if another brand of pump was put in as a replacement, then the Town would also have to buy all new connections and cables which would cost an additional \$5,000 - \$6,000. Buying the same brand of pump was the most cost-effective option.

Financial Implications

The Quote for a new pump is \$11,106 plus HST and potential tariffs. We will need to rent a hoist to lower the new pump into the chamber, (estimated cost \$500 per day plus HST). There may be other small parts required. Staff are requesting \$15,000 to complete the purchase.

Since the 2025-2026 capital budget has not yet been approved, Council needs to approve a supplemental budget for the project.

The *Municipal Government Act (MGA)* requires that Council approve any use of funds in reserve accounts. This RFD is asking for Council approval to utilize up to \$15,000 (plus HST) from the Sewer Capital Reserve to fund the pump replacement, which has sufficient funds available to pay for the cost of the project. As of today, the Sewer Capital Reserve bank account has an approximate balance of \$715,000, which would support the \$15,000 (plus HST) expenditure for the pump replacement.

The project will be part of the 2025-2026 Capital budget.

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
X	Environment	Repairs at the Sewer Treatment Plant
X	Infrastructure	Replacement of Critical infrastructure
	Economy	

¹ Goods up to and including \$25,000

**REQUEST FOR DECISION
Replacement Pump at STP
RFD#: 027-2025**



	Community	
	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: 16 June 2025



ATLANTIC PURIFICATION SYSTEMS LTD.

DARTMOUTH NS B3A 4M1
PH: 902-469-2806 FAX: 902-463-3529

TOWN OF MIDDLETON
PUBLIC WORKS BUILDING
295 MARSHALL STREET
MIDDLETON NS BOS 1P0

KIRK VERRAN

NUMBER	DATE	PAGE
29453	04/11/2025	1/1
CUSTOMER REFERENCE		
SULZER PUMP REPAIR		
YOUR CONTACT		
Rachael Dempsey Rachael@aps.ns.ca 902-469-2806 x 116 902-891-0762		

Line	Item Code	Item Description	Quantity	UoM	Unit Price	Ext Price
001	00-00-SERVICE WORK	SULZER PUMP REPAIR, MODEL XFP-PE2-150E-CB1.4PE90-4E-FM, 600V, 9KW, 60HZ	1	EACH	7,430.40	7,430.40
SERIAL # 300613990						
Reason of Failure: Lower bearing failure caused stator burnt						
Damaged Parts: Bearings, Mechanical seals, Stator rewind						
Repair Require: Pump disassembly Stator rewind Parts Replacement, Bearings, Mechanical seals, O-rings, .. Assembly Paint Mechanical / Electrical test						
Parts Require: 61715037 KIT OVERHAUL XFP PE2 31155073 BEARING HOUSING PE2						
Note: Pro-rated warranty coverage, month 43-60						

Price (Tax Extra) **\$7,430.40**

APS TERMS & CONDITIONS

Terms: 100% Net 30, OAC
FOB: APS Dartmouth, NS
Taxes: Extra
Validity: 30 Days

IMPORTANT NOTICE:

All prices for both quotes and orders are subject to change in the event new import Tariffs are imposed that impact the cost of goods. Should this occur for the products quoted or ordered, the customer would be responsible for any additional costs incurred.



ATLANTIC PURIFICATION SYSTEMS LTD.

DARTMOUTH NS B3A 4M1
PH: 902-469-2806 FAX: 902-463-3529

TOWN OF MIDDLETON
PUBLIC WORKS BUILDING
295 MARSHALL STREET
MIDDLETON NS BOS 1P0

Kirk Verran

NUMBER	DATE	PAGE
29961	05/15/2025	1/1
CUSTOMER REFERENCE		
WWTP Low Water Level Sulzer Pumps		
YOUR CONTACT		
Mike McDonah mike@aps.ns.ca 902-469-2806 x 123 902-440-0101		

Line	Item Code	Item Description	Quantity	UoM	Unit Price	Ext Price
001	07-26-XFP150E-CB1.4-PE90 /4-20 *	PUMP, XFP150E-CB1.4-PE90/4, 600/3/60, 20 METER CABLE	1	EACH	11,106.00	11,106.00

Price (Tax Extra) **\$11,106.00**

APS TERMS & CONDITIONS

Terms: 100% Net 30, OAC
FOB: APS Dartmouth, NS
Taxes: Extra
Validity: 30 Days

IMPORTANT NOTICE:

All prices for both quotes and orders are subject to change in the event new import Tariffs are imposed that impact the cost of goods. Should this occur for the products quoted or ordered, the customer would be responsible for any additional costs incurred.

REQUEST FOR DECISION
Source Water Protection Plan
RFD#: 028-2025



To: Town Council
From: Adam Verran, Director of Public Works
Date: June 16, 2025
Subject: Source Water Protection Plan

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Middleton Source Water Protection Plan

Legislation

- N/A

Recommendation

That Council approve Middleton’s Source Water Protection Plan dated February 2025.

Background

The Town of Middleton provides water to around 800 customers through approximately 45 km of water distribution pipes which are supplied by three (3) Non-GUDI wells located South of the Annapolis River in Nictaux. The three (3) wells are used on a rotating basis to supply the Town’s Water Utility customers and reservoir with chlorinated water.

The Town of Middleton receives its drinking water from groundwater. To protect public health, it is therefore vital to ensure the protection of the groundwater. Once a groundwater source is contaminated it can be impossible, or extremely costly, to clean up.

The goal of the Town of Middleton Source Water Protection Plan (SWPP) is to provide a proactive approach to protecting groundwater, integrating municipal land use planning and other management tools.

The Source Water Protection Plan was submitted in 2024 to the Nova Scotia Department of Environment and Climate Control and accepted and approved in January 2025.

REQUEST FOR DECISION
Source Water Protection Plan
RFD#: 028-2025



The Source Water Protection Plan was presented to the Source Water Protection Committee in April 2025. Although a formal motion was not recorded, the committee members and staff were in agreement with the plan.

Financial Implications

N/A

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
X	Environment	
X	Infrastructure	
	Economy	
	Community	
	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

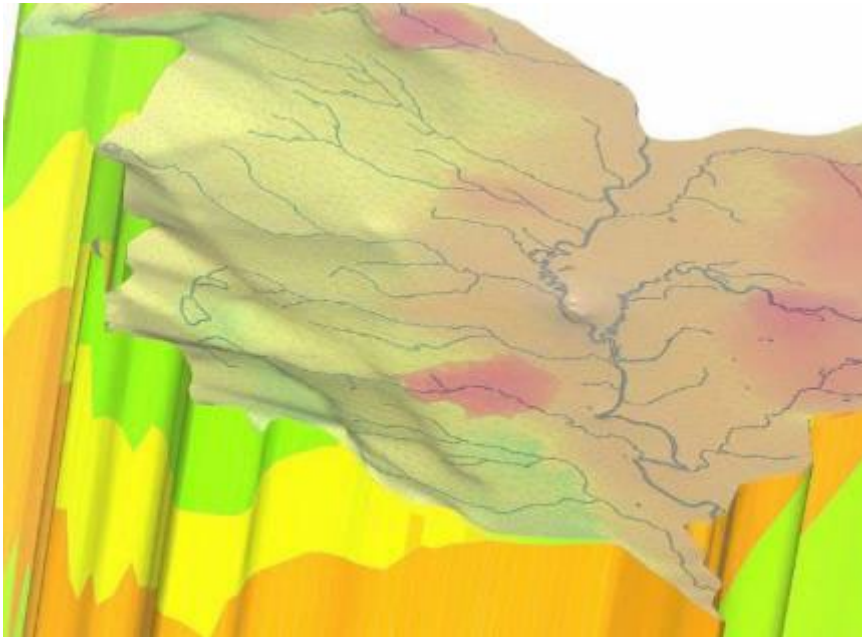
N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: June 16, 2025



Middleton Source Water Protection Plan

February 2025

V.004



CBCL LIMITED
Consulting Engineers

ISO 9001
Registered Company

Source Water Protection Plan Changes

Version	Date	Prepared by/Modified By	Significant Changes
v.001	January 5, 2009	CBCL Limited	Approved Final Draft
v.002	November 27, 2019		<ul style="list-style-type: none"> • Change Title of document to Source Water Protection Plan • Added Section 1.2 Town of Middleton Source Water Protection Committee • Added item 7 to Table 6.1 Summary of Risk Analysis
v.003	10 January 2025	Jeff Hurlburt	<ul style="list-style-type: none"> • Updates to Table 8.1 • Appendix A Updated to 2023 Property Owners • Update 1.1 • Update 3.2 • Update 4 • Update to 8. Contingency Plan, Plan has been developed and available. • Update to 9. • Entire document for minor wording changes and updates
v.004	3 February 2025	Jeff Hurlburt	<ul style="list-style-type: none"> • Addition of 1.3 Description of Water System • Added Appendix B Terms of Reference
v.005		Jeff Hurlburt	<ul style="list-style-type: none"> • Update to table 8.1 Implementation of the Town of Middleton Wellfield Protection Plan

February 24, 2025

Jeff Hurlburt
Water Utility Operator
Town of Middleton
131 Commercial St
Middleton, NS

Dear Jeff Hurlbert:

Thank you for the submission on February 3, 2025, of the Middleton Source Water Protection Plan (SWPP) dated February 3, 2025. Pursuant to Section 7 of the Terms and Conditions of your Approval to Operate #2011-077006-03, this letter will serve as acceptance of the Source Water Protection Plan for the Town of Middleton. Your approval to operate also requires you to submit an update of Source Water Protection Plan activities as part of your annual report. Your annual sampling plan should also be updated to include Source Water Protection monitoring if you have not already done so.

A SWPP is intended to be a “living” document containing the basic essential elements, which grows and advances with time to accommodate changes in the watershed or regulatory requirements, as necessary. Please note that acceptance of a SWPP does not constitute an approval of Municipal Planning Strategies and Land Use Bylaws, as they have their own processes.

Greg Cummings, Watershed Planner, is available to assist you or the Middleton Source Water Protection Advisory Committee with your ongoing work. He can be reached at 902-483-0567 or Gregory.cummings@novascotia.ca.

Sincerely,



Michael Haverstock, M.Sc., P.Eng.
District Engineer
NS Environment and Climate Change
Western Region
Kentville District Office

Cc
Jennifer Lonergan
NS Environment and Climate Change
Western Region
Kentville District Office

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Appendix

- A Property Owners in the Middleton Wellfield Protection Area**
- B Source Water Protection Advisory Committee Policy (Terms of Reference)**

1. Groundwater Protection

The Town of Middleton receives its drinking water from groundwater. To protect public health, it is therefore vital to ensure the protection of the groundwater. Once a groundwater source is contaminated it can be impossible, or extremely costly to clean up. Preventing contamination is the most effective way to ensure safe drinking water in the Town of Middleton.

The goal of the Town of Middleton Source Water Protection Plan is to provide a proactive approach to protecting groundwater, integrating municipal land use planning and other management tools.

1.1. Town of Middleton Wellfield Protection Area

This document builds on groundwater flow analysis summarized in the Town of Middleton Capture Zone Modelling Technical Report by CBCL in December 2007. The technical report established the Wellfield Protection Area based on the groundwater capture zones for the Town of Middleton's three production wells. Figure 1.1 shows the location of the wellheads, which are just beyond the Town's southern boundary as delineated by the Annapolis River, and within land falling under the land use planning jurisdiction of the County of Annapolis. This document was developed in consultation with the Middleton Source Water Protection Advisory Committee and community resource members, including community members, Town and County Councilors and organization representatives from the Town of Middleton and the County of Annapolis.

This document lays out the regulatory and policy contexts within which planning for the protection of the Middleton Wellfield takes place. Land use planning and management tools available to the Town of Middleton are highlighted. Provided is a detailed discussion and analysis of zoning, ownership and current land use in the Wellfield Protection Area. This is followed by an analysis of potential sources of risk to the groundwater supply. Specific strategies for managing risk, using a range of land use planning and other municipal tools are included. A contingency plan and strategies used in the case of a water emergency. Finally, a monitoring program, which evaluates the effectiveness of the Source Water Protection Plan.

1.2. Town of Middleton Source Water Protection Committee

The Town of Middleton's Source Water Protection Advisory Committee was established in 2019 to monitor the performance of the Source Water Protection Plan and regularly update if it does not meet its objectives.

The SWPAC also provides advice on matters concerning land-use issues, as well as water quality, levels and flows in the Source Water Protection Area.

1.3. Town of Middleton Water System

The Town of Middleton provides water to around 800 customers through the approximately 45 km of water distribution pipes which are supplied by 3 Non-GUDI wells located South of the Annapolis River in Nictaux. The 3 wells are used on a rotating basis to supply the Town's Water Utility customers and reservoir with chlorinated water. The chlorination process takes place at the Well House located at 454 Main Street

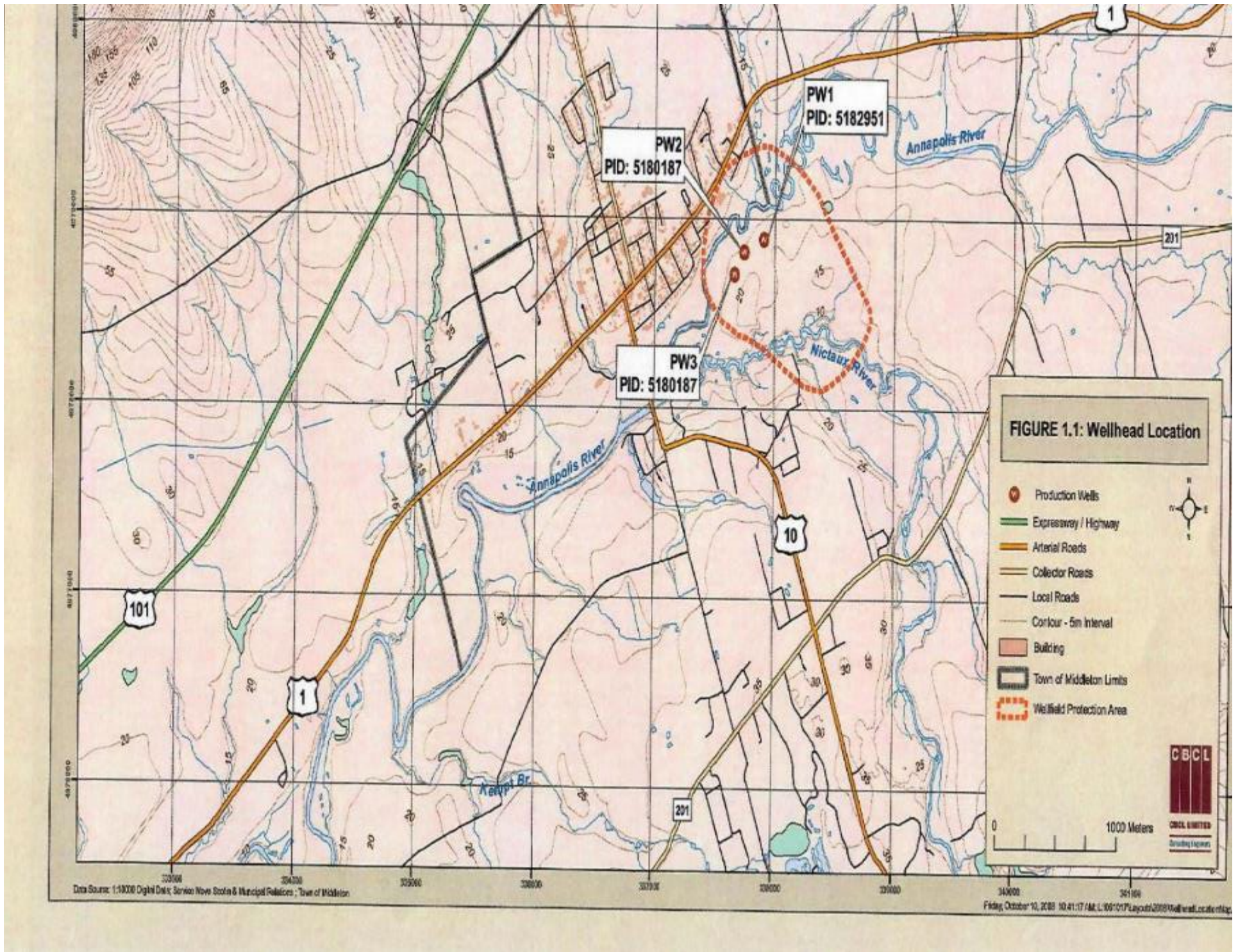
where a Hypochlorite solution regulated by Chlorine pumps is injected into the main supply line which then flows into a contact chamber before entering the distribution system. CT times are maintained and continuously monitored via the SCADA system with alarms and shut down

parameters if sufficient contact time is not achieved. The unused Chlorinated water is then boosted at the Booster Station at 411 Gates Mountain Rd. to the reservoir located at 144 Gates Mountain Rd. where it is stored, monitored & adjusted for Chlorine content to maintain an adequate supply and pressure for the Town Utility customers during wellfield shutdown.

2. Regulatory Framework

Planning to protect the groundwater supply for Middleton takes place within the broader context of federal, provincial and municipal planning regulations and policies. The following section highlights areas of provincial and federal jurisdiction and relevant legislation, and guidelines related to land use practices which pose potential risk to groundwater quantity and quality.

Section 3 will focus on the municipal level and how land use planning can be used as a tool for groundwater protection.



2.1. Drinking Water in Nova Scotia

Nova Scotia Environment & Climate Change (NSECC) is the lead agency for the provision of access to safe, adequate and reliable public water supplies. The *Environment Act, 1994-95* and the *Water Resources Protection Act, 2000* provide the legislative framework for protecting water resources. The *Environmental Goals and Sustainable Prosperity Act, 2007* is also relevant to water protection as it establishes two of the Province's long-term environmental and economic objectives as having municipal drinking water supplies meeting Provincial standards by 2008 and developing a comprehensive water-resource management strategy by 2010.

The *Environment Act* permits the designation of protected water areas surrounding any municipal water supply source. The designation may include regulations intended to prevent impairment of water quality, such as watercourse setbacks, sediment and erosion controls and animal pasture restrictions. More than twenty areas in Nova Scotia have this designation and each has slightly different restrictions depending on the needs of the community and water supply objectives.

In 2002, the Province released A Drinking Water Strategy for Nova Scotia. The strategy is a comprehensive approach based in multi-barrier management. Multi-barrier management focuses on source protection, water treatment, and monitoring and reporting on a broad, watershed basis. Wellfield protection planning and Protected Water Area designations are key components of source water protection, and the provincial strategy recommends that municipalities undertake a source water protection plan to prevent drinking water problems from occurring.

In 2004 NSECC provided municipalities with a guide for developing a source water protection plan. The guide includes five steps, which are being used to create the protection plan for Middleton:

- Form a source water protection advisory committee.
- Delineate a source water protection area boundary.
- Identify potential contaminants and assess risk.
- Develop a source water protection management plan.
- Develop a monitoring program to evaluate the effectiveness of protection.

2.2. Regulations for Public Drinking Water & Wastewater

The requirements for water and wastewater treatment facilities and monitoring are set forth in the Water and Wastewater Facilities and Public Drinking Water Supplies Regulations made under the *Environment Act*. These regulations require facilities to be operated by certified operators and classified according to size, population served and unit processes. Water and wastewater treatment facilities are classified from one through five, based on a point system outlined in the Facility Classification Standards.

Water quality monitoring and reporting is required for all public water supply systems in Nova Scotia. Regular testing must be conducted in accordance with the parameters set forth in the Guidelines for Monitoring Public Drinking Water Supplies. The microbiological, physical and chemical characteristics of a public drinking water supply cannot exceed the acceptable standards of the Guidelines for Canadian Drinking Water Quality. These guidelines are published by Health

Canada on behalf of an intergovernmental committee, based on research related to health effects, aesthetic effects and operational considerations of water quality and treatment.

2.3. On-site Sewage Disposal

The On-site Sewage Disposal System Regulations made under the *Environment Act* are to ensure the safe and clean operation of sewage systems not managed centrally by a municipality, generally for single unit residential systems. Approval from the province is required for the installation of a sewage disposal system, which must meet regulations for design, installation and distance from wells, watercourses and other features. Certification is required for both the system designer and installer. The owner of a system is responsible for its proper functioning and must make repairs to any malfunction. The On-site Sewage Disposal Systems Technical Guidelines are in accordance with the regulations and are intended to facilitate proper planning, design, selection, installation, operation and maintenance of on-site systems.

2.4. Well Construction

The Well Construction Regulations made under the *Environment Act* provide guidelines for the proper construction of groundwater wells. Improperly constructed or abandoned wells can result in contaminated surface and shallow groundwater entering the well and impacting well water or aquifer water quality. A well may not be constructed closer than the minimum distances from potential sources of contamination, particularly sewage disposal systems. A well may not be constructed in manner or location that could allow surface water to enter the well or aquifer.

A well casing at least 6.1m long is required, as well as a well liner and well screen. A minimum annular space of 25 mm outside the well casing is required. Any remaining volume of the outer borehole annulus is filled in with grout, drill cuttings or impermeable soil to the ground surface and prevents surface water from entering the annular space.

The Well Construction Regulations require the proper abandonment of wells no longer in use. The well must be immediately decommissioned by sealing it to prevent the vertical movement of water in accordance with criteria set forth in the Water Well Decommissioning Guidelines.

2.5. Petroleum Storage

The *Petroleum Management Regulations* made under the *Environment Act* include guidelines pertaining to any structure designed for the underground or aboveground storage more than 4,000 liters of liquid petroleum of any kind, including gasoline, diesel and lubricants. The regulations include installation, monitoring and removal standards, and require certification of petroleum storage tank installers. In the event of a spill, the person responsible for the petroleum storage must follow the reporting procedures outlined in the *Emergency Spill Regulations* and take the necessary steps to stop the spill, clean up the affected area and rehabilitate the environment.

Domestic heating oil tanks are regulated under different legislation. NSECC recommends the use of aboveground oil tanks that meet the national construction standards (National Standard of Canada's CAN/ULC-S602, *Aboveground Steel Tanks for the Storage of Combustible Liquids Intended to Be Used as Heating and/or Generator Fuels & Laboratories of Canada's ULC/ORD C80, Aboveground Non-metallic Tanks for Fuel Oil*). Insurance companies will sometimes recognize tanks constructed for longer lifespan or include containment features such as double-walled tanks. Under the Nova Scotia Fire Safety Regulations, domestic oil tanks must be installed according to national standards (Canadian Standards Association's CSA B-139, *Installation Code for Oil-Burning Equipment* (latest recognized edition and the *National Fire Code of Canada* (latest edition)). Domestic oil tanks must be installed by trained installers and be inspected regularly by a heating service professional. NSECC recommends that tanks be installed indoors rather than outdoors to avoid corrosion and weathering that may damage the tank and potentially lead to a spill and environmental contamination.

2.6. Agricultural Practices

Agricultural practices include the use or management of fertilizer, livestock, manure and other wastes. The practices which affect water supply quality are regulated federally, provincially and municipally under various legislative statutes, regulations, and bylaws. The Environmental Regulations Handbook for Nova Scotia Agriculture, published by the Department of Agriculture, summarizes the role of each regulatory body affecting agricultural operations from an environmental standpoint.

Fertilizer storage and application, except in very large quantities, is not regulated. However, fertilizer contaminating surface or groundwater could trigger charges under four separate pieces of legislation, the *Canadian Environmental Protection Act*, the *Fisheries Act*, the *Health Act* or the *Environment Act*.

The bacteria and nutrients from the feces and urine of livestock may cause a significant adverse effect to water quality. Although there is no legislation that specifically states livestock and manure are not permitted in streams, there are two laws which in effect say this. The *Fisheries Act* states that no person shall alter fish habitat without approval and "no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish" or where the substance may enter water frequented by fish. The provincial *Environment Act* also says that no one can release (knowingly or not) into the environment a substance that causes or may cause a significant adverse effect. These laws are significant because the waste of livestock qualify as deleterious substances. Additionally, the uncontrolled trampling of cattle on the banks of streams and on-stream bottoms can disturb soil and stream sediments leading to siltation. Silt is also deemed a deleterious substance under the *Fisheries Act*.

Manure Management Guidelines in Nova Scotia were developed by the Department of Agriculture in 2006. The guidelines outline manure management systems and practices that help to reduce the risk of pollution and minimize odors. Recommended actions include proper

manure storage facility siting, system design options, safety practices, ventilation and transportation methods. The National Farm Building Code specifies construction requirements for manure storage, and a permit is required.

The Environmental Farm Plan (EFP) Program was initiated in 1997 to help farmers identify and assess environmental risk by examining their farm operation from an environmental management perspective. It allows farmers to incorporate environmental considerations into business decisions, rather than addressing environmental issues as they arise. An EFP involves an environmental farm review which considers many factors, including effects to water quality. The program is led by the Nova Scotia Federation of Agriculture and NSAF, and is voluntary at this time, although it is recommended that all farmers participate.

2.7. Pesticides

The federal and provincial governments share the responsibility of pesticide regulation. Health Canada is responsible for the evaluation, registration and re-evaluation of pesticides used in Canada through the *Pest Control Products Act*. The enforcement and compliance of the import / export of pesticides or violations of label requirements are also under federal jurisdiction.

Through the Pesticide Regulations and the Activities Designation Regulations made under the *Environment Act*, NSECC regulates the sale, use, storage and disposal of pesticides. There are regulations also requiring certification of applicators and vendors of restricted or commercial class pesticides. In some cases, an approval permit is required from NSECC to apply pesticides. A permit is also required for pesticide storage.

2.8. Forestry Practices

Forest harvesting on any woodland in Nova Scotia must take place according to the *Forests Act* and Wildlife Habitat and Watercourses Protection Regulations. Requirements pertaining to water protection include leaving buffer strips (special management zones) along watercourses. Under the *Environment Act*, NSECC approval is required for the alteration of a water course by activities related to wood lot management.

2.9. Mineral Extraction

Mineral extraction in Nova Scotia falls under Provincial jurisdiction and must comply with all applicable legislation and regulations. The *Mineral Resources Act* prohibits detailed ground exploration without first obtaining all necessary approvals from the NSECC.

3. Municipal Planning and Groundwater Protection

Municipalities have an important role to play in drinking water protection. Municipal land use planning is identified by NSECC as an excellent tool in developing source water protection plans. The Nova Scotia *Municipal Government Act* (MGA) gives municipal councils authority to govern at the municipal level and sets out legislation related to municipalities. Within the MGA are several Statements of Provincial Interest that are intended to guide Provincial departments and municipalities in making land use decisions that respect the finite nature of Nova Scotia’s land and water resources and lead towards sustainable development. Part VIII of the MGA focuses on planning and development and outlines legislation related to land use, ensuring consistency with Provincial interests and regulations.

3.1. Statement of Provincial Interest Regarding Drinking Water

The Statement of Provincial Interest Regarding Drinking Water in the MGA is intended to set the direction and provide guidance for how municipalities can ensure the protection of drinking water. The goal of this Statement of Provincial Interest is “To protect the quality of drinking water within municipal water supply watersheds”. The Statement continues to emphasize that a “safe supply of drinking water is a basic requirement for all Nova Scotians” and that “inappropriate development in municipal water supply watersheds may threaten the quality of drinking water” (*Municipal Government Act*, 1998, Schedule B, Statements of Provincial Interest).

Decisions that Provincial departments and municipalities make about land use must be consistent with the Province’s commitment to protect drinking water. The Statement requires that planning documents identify all municipal water supply watersheds within the planning area and address the protection of drinking water. It identifies land use and development restrictions as well as watershed management strategies as importation protection measures.

3.2. County and Town Land Use Planning Policies Related to Groundwater Protection

Figure 1.1 shows the location of the Town of Middleton production wells, which are outside the Town boundaries and within the Annapolis County East End Planning Area. In fact, of the total 115.27 hectares in the Middleton Wellfield Protection Area, approximately 101.87 hectares or 88% of the area is located outside of Middleton boundaries, and within the Annapolis County East End Planning Area. Planning for groundwater protection is relevant at both the County and the Town levels because of the location of the wells. Policies for groundwater protection established in the Middleton Source Water Protection Plan act together with the Town of Middleton Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) as well as the Annapolis County East End Area MPS and LUB.

3.3. Town of Middleton Planning Policy and Groundwater Protection

The Town of Middleton MPS demonstrates the town’s commitment to environmental protection and states it as the first goal for the town:

“To protect the existing natural environment from unnecessary disruption and to make environmental improvements, where possible, in order to enhance Middleton as a place to live” (Town of Middleton MPS 2007, 2.2.1 Environment, page 14).

In addition, the MPS discusses the importance of being sensitive to change in both the natural and built environments and the impact one can have on the other. The Middleton MPS, section 2.13 Water Policy outlines the town’s policies about water protection and servicing including:

- Upgrading and maintaining the present water supply
- Investigating various methods of protection of the watershed area
- Co-operating with the County to ensure watershed protection.

Table 3.3 summarizes the policies regarding water supply and protection in the Middleton MPS.

Table 3.3: Town of Middleton Municipal Planning Strategy Policies Related to Groundwater Protection

Policy	Section	Description
2.13 W1.	2.13 Water Policy	Council shall continue to upgrade and maintain the present water supply system of the Town.
2.13 W2	2.13 Water Policy	Council shall investigate various methods of protection of the watershed area. The Town shall co-operate with the County to ensure the most beneficial and expedient method of protection of the watershed area.
3.7 I16.av, bii, c	Criteria for Amendment to the Land Use By-law and Evaluation of Proposals for Development Agreements	In considering amendments to the zoning in the by-law or, entering into development agreements, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have regard for the following matters: That the proposal is in conformance with the intents of this Strategy and with the requirements of all other Town By-laws and regulations: (a) That the proposal is not premature or inappropriate by reason of: (v) the potential for the contamination of water courses or the creation of erosion or sedimentation. (b) That controls are contained in a Land Use By-Law or a development agreement so as to reduce conflict between the development and any other adjacent or nearby land use by reason of: (ii) emissions including air and water pollutants and noise; (c) Suitability and development costs of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs and proximity of highway ramps, railway rights-of-way and other nuisance factors.

3.4. Annapolis County Planning Policy and Groundwater Protection

The Annapolis County East End Area Municipal Planning Strategy highlights the importance of water resources right at the outset when explaining the purpose of regional planning documents:

“this plan and by-law seeks to guide development by way of providing planning documents designed to **achieve harmony** among agricultural, residential, commercial and industrial uses of land, **water** and resources, and to provide and preserve all that is best about living in the urban and rural areas of Annapolis County East” (Annapolis County East End Area MPS 2004 1.ii, page 1, emphasis added).

The Annapolis County East End Area MPS demonstrates commitment to protecting the Town of Middleton’s groundwater supply through Open Space zoning. Protective measures are intended to “promote and encourage low impact developments such as forestry uses, agricultural uses, parks and passive recreation uses” in order “to minimize the negative impact development may have on this sensitive municipal water supply wellhead area”. (Annapolis County East End Area MPS 2004, 1.vi.a., page 3 & MPS 6.1, page 22).

Section 6.0 Environmental Protection, of the Annapolis County East End Area MPS outlines policies and their rationale related to the protection of the Town of Middleton’s water supply. Table 2.1 includes these policies and others related to water protection in the Annapolis East End Area MPS. Part 19 of the Annapolis County East End Area LUB discusses the uses permitted in the Enviro Open Space (OS) zone intended to protect water sources.

Table 3.4: Annapolis County East End Area Municipal Planning Strategy Policies related to Land Use and Groundwater Protection

Policy	Section	Description
6.0.1 Annapolis MPS	6.0 Environmental Protection	It is the policy of Council to designate lands owned by the Town of Middleton and surrounding the water supply well field area as "Enviro Open Space" on the Future Land Use Map.
6.1.1 Annapolis MPS	6.1 Watershed Protection	It is the policy of Council to establish an Enviro Open Space (OS) Zone in the Land Use By-law and all lands designated as “Enviro Open Space” will be zoned OS. It is also the policy of Council to set out provisions in the Land Use By-law that prohibit structures, excepting water supply facilities, from being located/erected within 100 m. (328 ft.) of a municipal water supply wellhead
6.1.2 Annapolis MPS	6.1 Watershed Protection	Within this Enviro Open Space (OS) Zone, the permitted uses shall be limited to minimize the negative impacts of development on the sensitive Middleton water supply area and to protect the quality of the water supply. Permitted uses in the Enviro Open Space (OS) Zone shall include water supply and distribution uses, park or recreational uses, conservation related uses and structures, public utilities and forestry and agricultural uses but not including structures accessory to the forestry or agricultural use.
6.1.3 Annapolis MPS	6.1 Watershed Protection	It is the policy of Council to consider altering the boundaries of the "Enviro Open Space" designation and zone if deemed necessary, as a result of further study by a qualified professional to clearly define the extent of the recharge area and protection level zones and upon

		request of the Town of Middleton. The Annapolis County East End Area Municipal Planning Strategy and Land Use By-law shall therefore be amended to reflect any change required as a result of study and/or application. It shall further be the policy of Council to be involved (as part of a committee or being a party to be consulted) in the development of any study that would result in the development of a watershed plan for the well field area and/or result in the need to alter the boundaries of the "Enviro Open Space" designation.
6.1.2 Annapolis MPS	6.2 Watercourse Setback	It is the policy of Council to include a 7.6 m. (25 ft.) watercourse setback buffer strip in the Land Use By-law in which the erection of any building or structure, other than wharves, boat houses or launches, landscaping structures such as gazebos and fishery related uses within 7.6 m. (25 ft.) of any watercourse in the Annapolis County East End Planning Area shall be prohibited. For clarification, the separation distance or setback shall be measured from the edge, meaning the ordinary high-water mark of the watercourse and the watercourse setback distance can be defined as being part of any side, rear or front yard, as the case may be, with the intention that the developer retain as much of the natural vegetation in the watercourse setback distance buffer strip as possible.
9.2.2vi, vii, ix Annapolis MPS	9.2 Land Use By- law and Amendments	In considering an application for an amendment to the Land Use By-law Council shall ensure that the amendment is in conformity with the intent and policies of this Plan and with the requirements of the Municipal Government Act and the Land Use By-law, and Council shall ensure that the proposal is not premature or inappropriate by reason of: <ul style="list-style-type: none">vi. the potential for the contamination of watercourses, creation of erosion or sedimentation, or pollution.vii. the adequacy of storm water management and sewer and water services and utilities or if central piped services are not provided, the adequacy of physical site conditions for private onsite sewer and water systems and storm water management.ix. the suitability of the proposed site in terms of steepness of grades, soil or geological conditions, and the relative location of watercourses, and wetlands (marshes, swamps and bogs).
9.3.1iv, ix, x	9.3 Development Agreements	In considering an application for a development agreement or an application for an amendment to a development agreement, Council shall ensure that the application for a development agreement or an application for an amendment to a development agreement is in conformity with the intent and policies of this Municipal Planning Strategy and with the requirements of the Municipal Government Act, and Council shall ensure that the proposal is not premature or inappropriate by reason of: <ul style="list-style-type: none">iv. the adequacy of municipal services with particular regard to the demand the proposed development will have on the municipal storm water system, sanitary sewer system, water system, fire protection, refuse collection and police protection.ix. the suitability of the proposed site in terms of steepness of grades, soils and geological conditions, location of

		<p>watercourses, wetlands such as marshes, fens, swamps and bogs and other nuisance factors; and x. the potential for the contamination of watercourses, creation of erosion or sedimentation, or pollution.</p>
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Municipal planning strategy policies and land use by-laws in the Town of Middleton and Annapolis County East End Area planning documents demonstrate a commitment to source water protection. Annapolis East End Area MPS policy 6.13 allows for changes to policies to strengthen water protection and ensure the quality and quantity of Middleton’s groundwater. Annapolis County policy states the council’s desire to be involved with the establishment of any future guidelines to increase the area of wellfield protection.

4. Establishing a Wellfield Protection Area

The establishment of a Wellfield Protection Area comprised of four Wellfield Protection Zones was recommended in CBCL Limited's December 2007, Town of Middleton Capture Zone Modelling: Technical Report. Zones are delineated according to the level of risk posed by contaminants for entering the groundwater. The level of risk posed by a contaminant is dependent on the length of time it stays in the aquifer, and therefore groundwater travel time is an important consideration in protecting the wellfield from potential risk of contamination. Wellfield Protection Zones are useful for informing management plan decisions; they ensure that protection measures are appropriate based on the vulnerability of each zone.

It is established that the greatest protective measures are within Wellfield Protection Zone 1 and Wellfield Protection Zone 2 because they are closest to the wells. The recommended degree of protection decreases with distance from the wells in Zones 3 and 4. In zones closest to the wellheads a broad spectrum of contaminants pose a potential threat to the security of the water supply. These contaminants are of high risk even when released at low levels, or with poor mobility in groundwater. With increasing distance from the wellhead, the list of contaminants of concern becomes narrower, focusing on those materials which readily dissolve and are transported over long distances. Figure 4.0 illustrates the Wellfield Protection Zones for the Town of Middleton water supply based on the groundwater flow model analysis summarized in the technical report. The following are descriptions, adapted from the Technical Report, of potential contamination risks associated with land uses in each zone.

4.1. Wellfield Protection Zone 1 (25-meter radius)

The zone of critical importance is the area immediately around each of the wells. This zone extends to a radius of 25 meters around each well, accounting for at least 15 days of travel time to the well heads. Activities in this zone would ideally be strictly limited to operation of the well field. Contaminants and land uses of concern in Zones 2, 3, and 4 are also of concern in Zone 1.

4.2. Wellfield Protection Zone 2 (Two Year Capture)

Wellfield Protection Zone 2 is defined by the 2-year capture zone. Contaminants of concern in Zone 2 have low mobility but pose a significant health risk to water users. The contaminants of greatest concern within this zone are bacteria (primarily E. Coli) and viruses found in municipal sewage and animal waste. Land uses associated with these contaminants include agriculture, and any type of chemical or fuel storage. Contaminants and land uses of concern in Zones 3 and 4 are also of concern in Zone 2.

4.3. Wellfield Protection Zone 3 (Five Year Capture)

Wellfield Protection Zone 3 is defined by the 5-year capture zone, an area requiring restrictions on contaminants with moderate mobility and stability in the subsurface environment. Contaminants excluded from Zone 3 pose a health risk at moderate to low concentrations and are subject to processes of adsorption and biodegradation. These materials are generally attenuated over periods of time of less than five years. Petroleum hydrocarbon users fall within this

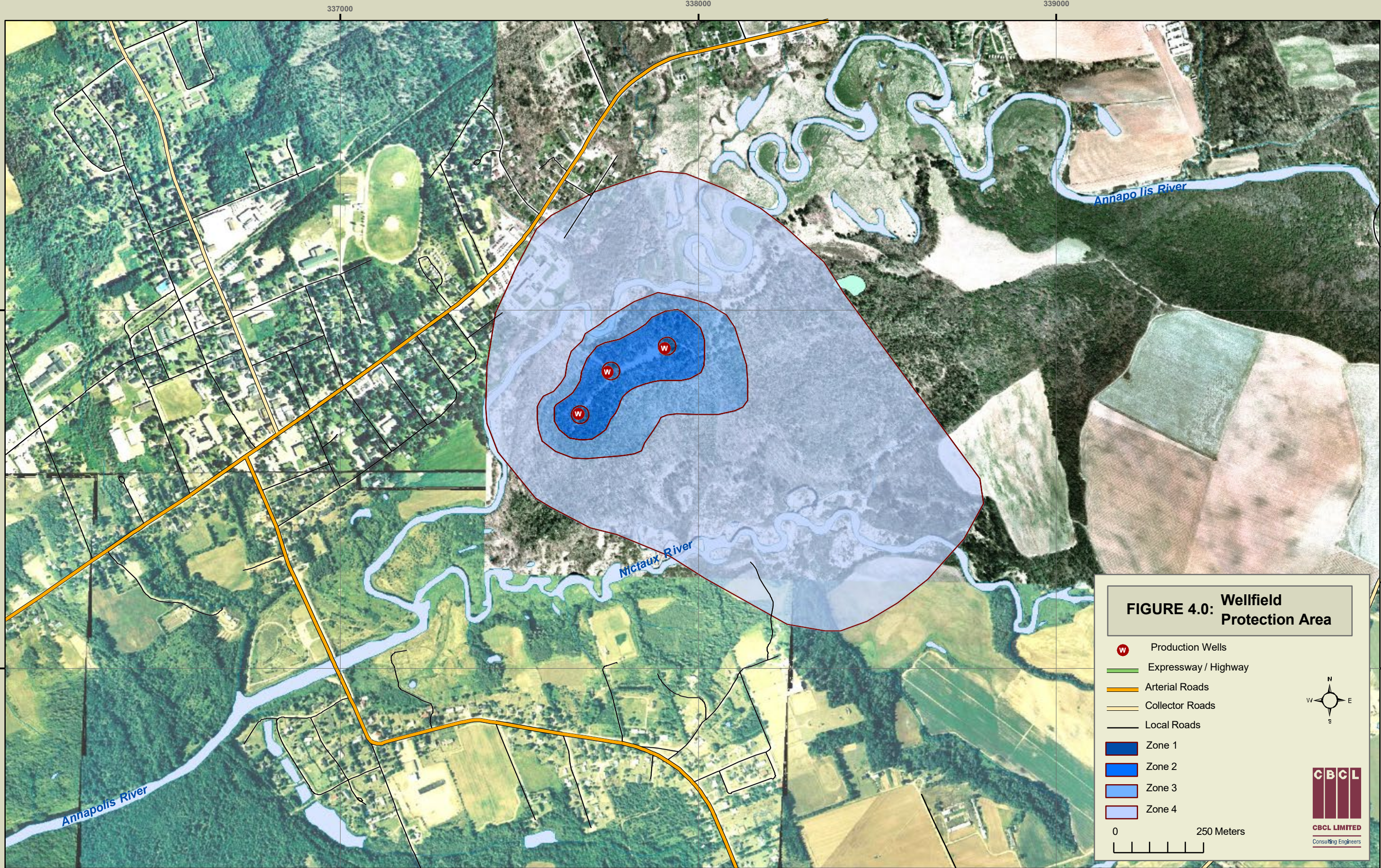


FIGURE 4.0: Wellfield Protection Area

- Production Wells
- Expressway / Highway
- Arterial Roads
- Collector Roads
- Local Roads
- Zone 1
- Zone 2
- Zone 3
- Zone 4



0 250 Meters



category, including service stations, automotive painting and repair shops, fuel storage and transfer of any kind, and auto salvage operations. Contaminants and land uses of concern in Zone 4 are also of concern in Zone 3.

4.4. Wellfield Protection Zone 4 (Twenty-five Year Capture)

Wellfield Protection Zone 4 is defined by the 25-year capture zone, created to manage contaminants which pose a health risk at low concentrations, and which are readily transported over large distances and longer time frames. Zone 4 also represents the outer boundary of the Wellfield Protection Area as a whole. Dense non-aqueous phase liquids (DNAPLs) such as trichloroethylene and perchloroethylene, which are found in dry cleaning chemicals and degreasers, have the tendency to penetrate deep aquifers and are concerns in Zone 4. Chloride, nitrate, and some metals which are readily transported in the groundwater can arrive at the well head in high concentrations. Land use activities associated with these contaminants include landfills, dry cleaning facilities, metal shops, automobile service shops, sewage disposal facilities, bulk salt storage, bulk storage of fuels and chemicals including pesticides and fertilizers.

5. Current Land Uses in the Wellfield Protection Area & Potential Risks

A land use inventory was performed in the study area, which included a review of available zoning maps, and aerial photographs from the Town of Middleton and Annapolis County and a field survey of the study area. Land use zoning in the Wellfield Protection area is shown in Figure 5.0 (Town of Middleton zones are white, and Annapolis County zones are yellow). Most of the land within the Wellfield Protection Area falls within the Annapolis County zone Open Space (OS), followed by Agriculture (AG).

Figure 5.2 illustrates the potential sources of contamination within the Wellfield Protection Area, which are discussed in the following sections:

- Zone 3: - Potential Risk: Fuel and Chemical Storage on Land zoned Agriculture
(See Section 5.2.1)
- Zone 4: - Potential Risk: Domestic Oil Tanks on Land zoned Residential Restricted
(See Section 5.3.1)
 - Potential Risk: Fuel and Chemical Storage on Land zoned Institutional
(See Section 5.3.2)
 - Potential Risk: Fuel and Chemical Storage on Land Zoned Highway Commercial
(See Section 5.3.3)

5.1. Wellfield Protection Zone 1 & 2 Current Land Use

Land in Wellfield Protection Zones 1 and 2 are zoned by the Annapolis County East End Planning Area By-Law as Open Space (OS). This is a restrictive zone which only permits:

- Water Supply and Distribution Uses
- Park and Passive Recreational Uses

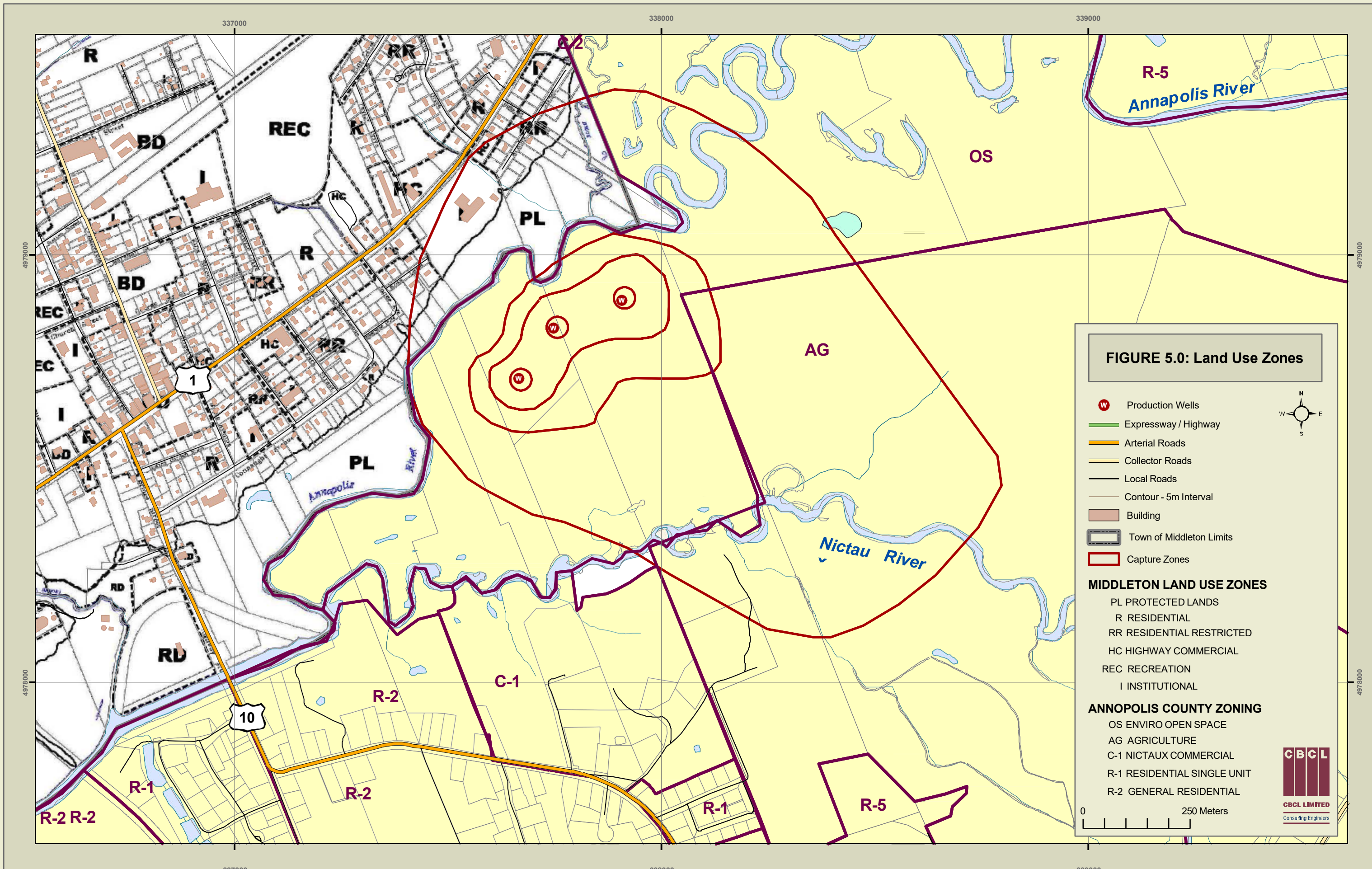


FIGURE 5.0: Land Use Zones

- W Production Wells
- Expressway / Highway
- Arterial Roads
- Collector Roads
- Local Roads
- Contour - 5m Interval
- Building
- Town of Middleton Limits
- Capture Zones



MIDDLETON LAND USE ZONES

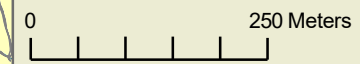
- PL PROTECTED LANDS
- R RESIDENTIAL
- RR RESIDENTIAL RESTRICTED
- HC HIGHWAY COMMERCIAL
- REC RECREATION
- I INSTITUTIONAL

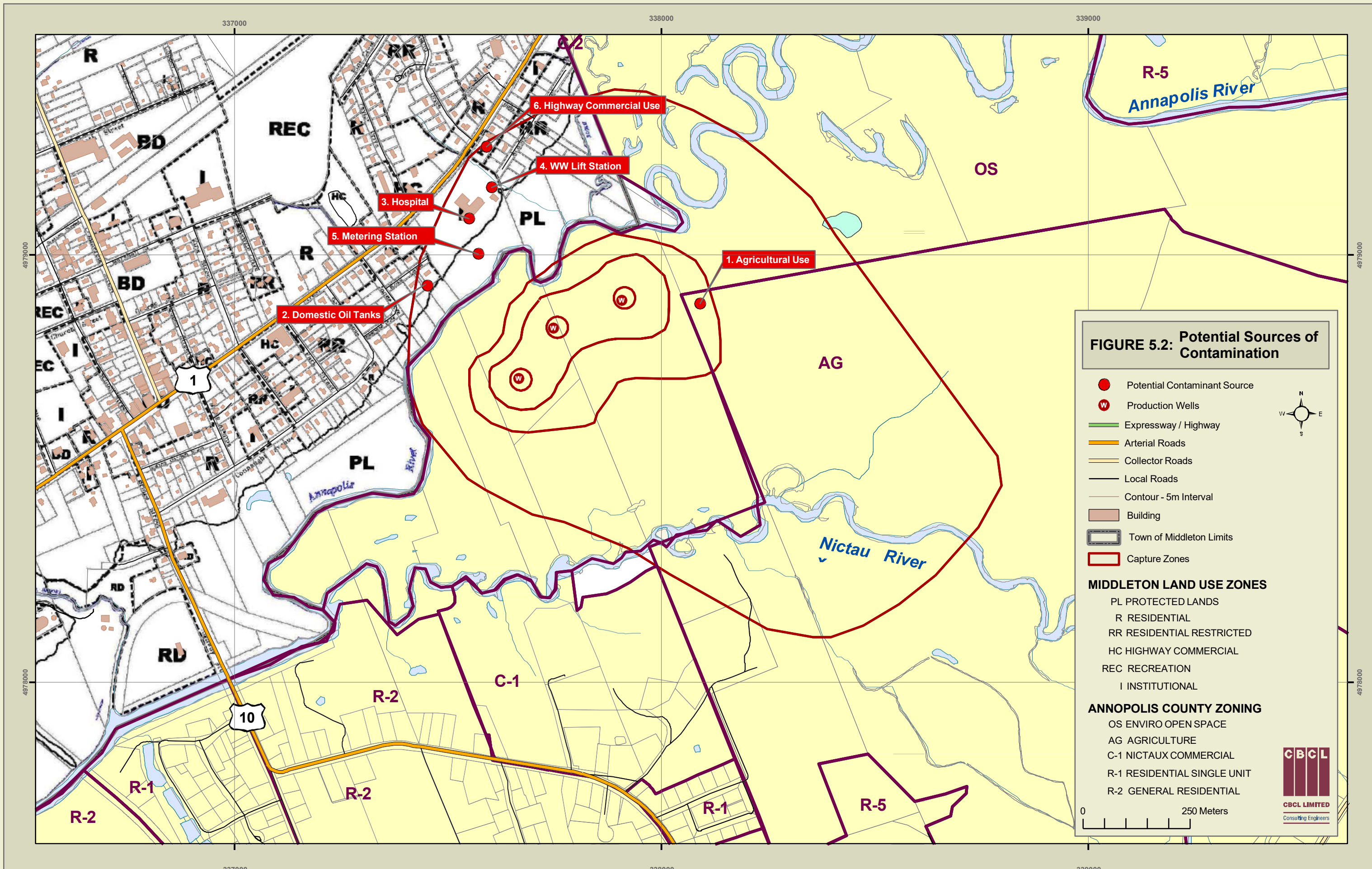
ANNAPOLIS COUNTY ZONING

- OS ENVIRO OPEN SPACE
- AG AGRICULTURE
- C-1 NICTAUX COMMERCIAL
- R-1 RESIDENTIAL SINGLE UNIT
- R-2 GENERAL RESIDENTIAL



CBCL LIMITED
Consulting Engineers





- Conservation Related Uses and Structures
- Forestry Uses (excluding buildings or structures accessory to the operation of the forestry use)
- Agricultural Uses (excluding buildings or structures accessory to the operation of the agricultural use)

(Annapolis East End Area Land Use By-Law 2004, 19.1, page 63)

Currently, these lands are forested or abandoned fields and undeveloped, except for a dirt road providing access to the wells. Well PW1 is located at PID number 5182951. Wells PW2 and PW3 are located at PID number 5180187. Both land parcels are on land owned by the Town of Middleton. In fact, the Town of Middleton owns all the land falling within Wellfield Protection Zones 1 and 2, as well as a significant amount of land in Zone 3. (Appendix A provides a complete list of property ownership, including PID, contact name and address information for each land parcel within the Wellfield Protection Area). The Town does not allow any other use on its lands other than wellfield protection significantly limiting contamination concerns in Zones 1 and 2.

5.2. Wellfield Protection Zone 3 Current Land Use & Potential Risk

Most of the land within Zone 3 is zoned as Open Space (OS) by the Annapolis County East End Planning Area By-Law. The northern boundary of Zone 3 incorporates a segment of the Annapolis River and a portion of land within the Town of Middleton boundaries that is zoned Protected Land (PL). The PL zone only permits:

- Agricultural uses not requiring permanent structures.
- Existing residential uses.

(Town of Middleton Land Use By-Law 2007, 8.1, page 27)

Currently, land within Zone 3 is mainly forested, but also includes a dirt road providing access to the wells, abandoned fields and active pastures.

5.2.1. Potential Risk: Fuel and Chemical Storage on Land Zoned Agriculture (AG)

A potential risk in Zone 3 is a small area of land on the eastern boundary zoned AG - Agriculture by the Annapolis County East End Area Land Use By-law. The Agriculture zone permits:

- Agricultural Uses and Structures
- Farm Supportive Uses
- Existing Non-Farm Residential Uses
- Farm Markets
- Forestry Uses and Structures
- Golf Courses
- Existing Non-Farm Supportive Commercial or Industrial Uses
- Farm Residences accessory to Bona Fide Agricultural Farm Operations

- Bed and Breakfast Operations (in Existing Residential Dwellings Only)
- Home Occupations, subject to the requirements of Part 7, Section 20 (Annapolis East End Area Land Use By-Law 2004, Section 18.1, page 60)

Currently, this portion of the lot is covered by forest and not used for agriculture. However, since the zone allows agricultural use, the property owner could change the land use activities and pose a potential risk at this site. Not all agricultural uses would be of concern in Zone 3. The agricultural activities that would be of concern on this site include storage of fuel or chemicals, including pesticides and fertilizers.

5.3. Wellfield Protection Zone 4 Current Land Use & Potential Risks

Most land within Wellfield Protection Zone 4 falls within the Annapolis County East End Area zones Open Space and Agriculture. Most of the land is undeveloped forest, other areas are floodplains along the Annapolis and Nictaux Rivers or active crop fields. There are also some single detached houses within the rural area of Zone 4.

The northwestern extent of Wellfield Protection Zone 4 incorporates land within the Town of Middleton boundaries. Land in this area is zoned Protected Land (PL), Residential Restricted (RR), Institutional (I) and Highway Commercial (HC) according to the Town of Middleton Land Use By-Law. Land use associated with the Protected Land zone is not of concern for groundwater contamination in Zone 4.

5.3.1. Potential Risk: Domestic Oil Tanks on Land zoned Residential Restricted (RR)

The Town of Middleton Land Use By-Law Residential Restricted zone permits the following uses:

- Manses and rectories
- Neighborhood parks and playgrounds
- Single detached dwellings

(Town of Middleton Land Use By-Law 2007, Section 11.1, page 34)

Domestic oil tanks in Zone 4 pose a risk to groundwater if they spill or leak. They are of concern because petroleum products can remain in the groundwater for long periods of time and can be transported over long distances.

5.3.2. Potential Risk: Fuel and Chemical Storage on Land zoned Institutional (I)

The Town of Middleton Land Use By-Law Institutional zone permits the following uses:

- cemeteries, memorial gardens and places of worship
- churches, chapels and religious institutions
- clinics

- clubs and judicial facilities
- government offices and public works facilities
- hospitals
- institutions
- jails
- judicial facilities and related professional and law offices
- libraries
- museums
- private clubs and fraternal organizations
- public health and rehabilitation centers
- residential structures accessory to permitted uses the above
- schools and educational establishment

(Town of Middleton Land Use By-Law 2007, Section 16.1, page 42)

Any institutional buildings with large chemical or fuel storage tanks (underground or above ground) or salt storage piles are potential risks to groundwater contamination in Wellfield Protection Zone 4 in the event of leaks or spills.

5.3.2.1. **Soldiers Memorial Hospital**

Currently, the one property (PID # 05077821, 462 Main Street) zoned Institutional in Wellfield Protection Zone 4 is the location of the Soldiers Memorial Hospital. It poses a potential risk in the event of a leak or spill from its heating oil tank. The hospital had a new tank installed in 2007 with secondary containment. Within the AVH District Emergency Response Plan there is the intent to develop contingency-specific responses based on a hazard assessment process. A Code Brown, Hazardous Materials Incident, is being developed. It will include facility protocols and protocols for containing and managing hazardous materials spills. The hospital maintains high standards for storage of medical waste and has regularly scheduled pickups to dispose of those materials off-site. Since the hospital has a rooftop helicopter landing pad, the hospital also has an emergency response plan in the event of a helicopter collision on site.

5.3.2.2 **Municipal Metering Pumps & Sewage Lift Station on Property owned by Hospital**

There are small metering pumps on this property where liquid chlorine is injected into water pumped from the water supply wells. Approximately 200 Liters of liquid chlorine are stored on site. This amount of chlorine is not a concern in Wellfield Protection Zone 4. Only bulk quantities of chlorine (approximately 750 Liters or more) would be of concern for possible spills and contamination of the groundwater. It is therefore prudent for the Town of Middleton Water Utility to remain aware of the potential risk posed by bulk chemical storage and continue to refrain from storing large quantities of chlorine at this site.

There is also a sewage lift station on this property in Wellfield Protection Zone 4. The lift station is used to pump sewage uphill from a low-lying area. This station has the potential to overflow during periods of high rainfall. Although microbes are not considered a contaminant in Zone 4, it is prudent for the Town of Middleton Water Utility to remain aware of the lift station location and

ensure its proper functioning. The lift station would pose a risk to the groundwater if there was a severe flood event that carried microbial contaminants from the overflow into Wellfield Protection Zones 1 or 2. Due to potential dilution of the contaminants and the catastrophic nature of such flooding that could bring additional contaminants in contact with the wells, the risk of contamination from the lift station is considered small.

5.3.3. Potential Risk: Fuel and Chemical Storage on Land Zoned Highway Commercial (HC)

The Town of Middleton By-Law Highway Commercial zone permits the following uses:

- Amusement Arcades
- Animal kennels and grooming
- Automobile trade activities including, but not restricted to the following:
 - Automobile dealership
 - Carwashes
 - Department of Transportation Depot
 - Gasoline stations
 - Motorcycle and accessory dealers.
 - Motor vehicle registry
 - Repair garages
 - School bus depot
 - Service stations
 - Transport garages
 - Vehicle weigh scales
- Bowling alleys
- Driver training schools
- Existing motels converted to apartment use.
- Funeral parlors
- Grocery stores and supermarkets
- High density residential developments (greater than 10 dwelling units/gross acre) in the Highway Commercial designation on properties abutting the west side of Brooklyn Street by Development Agreement
- Hobby shops and craft stores
- Hotels, motels, youth hostels
- Laundromats
- Marine craft and accessories
- Mobile home and travel-trailer sales and service
- Non-motorized commercial recreation uses.
- Public and private halls
- Recreational-trailer parks and laundromats and variety stores accessory thereto
- Restaurants
- Seed and agricultural merchants
- Service and utilities use.

- Single detached dwellings (1998 Civic Addressing Map, 157 Main Street, 151 Main Street, 147 Main Street, 145 Main Street, 139/141 Main Street, 115 Main Street, 111 Main Street, 43 Brooklyn Street, 33 Brooklyn Street, 9 Brooklyn Street, 16 Brooklyn Street)
- Take-out food outlets
- Taverns, beverage rooms and lounges
- Theatres
- Veterinary clinics

(Town of Middleton Land Use By-Law 2007, Section 13.1, page 37)

Currently the property zoned Highway Commercial in Zone 4 is the location of Middleton Physiotherapy & Osteopathy, (PID # 05267836, 474 Main Street). The current use poses no greater risk to the groundwater than residential uses in Zone 4. However, if the current or future property owners change the land use, there are uses permitted within the Highway Commercial zone that pose potential risk from chemicals leaching into the groundwater. Future potential land uses of concern in the HC zone include automobile trade activities, a laundromat/dry cleaner, mobile home and travel-trailer service, recreational-trailer parks and laundromats and variety stores accessory thereto, agricultural merchants, service and utilities uses, and any developments with large fuel or chemical storage.

6. Risk Assessment of Potential Sources of Contamination

Following the land use inventory, a risk analysis of identified potential sources of contamination was performed based on:

- Contaminant type
- Contaminant source
- Groundwater travel time (i.e. which zone is the potential contaminant within?)
- Short and long-term existing, potential and perceived consequences of impact.

The concerns identified in Table 6.0 are potential risks, and none of the sources pose an immediate threat to the Middleton Wellfield Protection Area. The identified potential risks will thus be addressed with equal priority in the Wellfield Protection Management Plan. Some of the potential sources of contamination currently exist, whereas others do not exist, but could in the future because they are currently allowed in the land use zoning. Strategies for managing the potential risk of groundwater contamination are discussed in detail in Section 7.

Table 6.0: Summary of Risk Analysis

**See Figure 5.2 for the location of the potential sources of contamination*

*Map Reference	Potential Sources of Contamination	WFPP Zone	Contamination Issue	Level of Risk Discussion
1	Agricultural use	3	Inorganic and organic chemical compounds	<ul style="list-style-type: none"> • Currently forested land • The concern is about future change to the land use because land is zoned agricultural. • In Zone 3, the concern about agricultural use is related to fuel storage and transfer as well as bulk storage of chemicals including pesticides and fertilizers. • Risk can be managed by restricting uses which pose a risk to groundwater. • The Town of Middleton purchasing the AG land in Zone 3 and requesting a rezoning of the purchased land to OS by the Annapolis County Council can provide a high level of protection.
2	Domestic Oil Tanks	4	Petroleum leaks and spills	<ul style="list-style-type: none"> • Concern is about management of potential risk from existing and future domestic oil tank leaks or spills in land zoned Residential Restricted. • Risk can be managed through public education.
3	Soldiers Memorial Hospital	4	Petroleum leaks and spills	<ul style="list-style-type: none"> • Concern is about management of potential risk from the hospital's existing large capacity oil tank leak or spill. • Soldiers Memorial Hospital is proactive about ensuring the tank meets all safety standards, has secondary containment and is currently improving

				<p>its Emergency Response Plan to include protocols for leaks or spills.</p> <ul style="list-style-type: none"> • Risk can be managed by continuing communication and cooperation between the Town of Middleton Water Utility and Soldiers Memorial Hospital.
4	Metering Pumps	4	Chlorine storage	<ul style="list-style-type: none"> • Currently the Town of Middleton Water Utility does not store bulk quantities of chlorine at this location. • Concern is about bulk storage of chemicals. • Risk can be managed by refraining from storing bulk quantities of chlorine at this location.
5	Sewage Lift Station	4	Microbial contaminants	<ul style="list-style-type: none"> • Concern is about management of potential risk associated with existing use. • Microbial contaminants are not a primary concern in Zone 4; however, it is prudent for the Town of Middleton Water Utility to be aware of potential risk in the case of a severe flood event that would move contaminants into a zone closer to the wellheads. • Risk can be managed through monitoring overflow. If overflow ever poses a risk to the groundwater, additional steps must be taken to remediate the situation and eliminate the risk.
6	Highway Commercial use	4	Inorganic and organic chemical compounds	<ul style="list-style-type: none"> • Current use as an art gallery and framing show poses little risk. • Concern is about future change to the land use. • In Zone 4, the concern about the Highway Commercial use is the allowance of activities involving or storage of dense non-aqueous phase liquids, fuel, chemicals, road salt and metals that may enter the groundwater. • Risk can be managed by restricting uses which pose a risk to groundwater. • Restrictions can be specified in the land use by-law.

7	Off Highway Vehicles	All	Petroleum leaks and spills	<ul style="list-style-type: none"> • Concern is the increased use of off highway vehicles and potential petroleum leaks. • Risk can be managed by restricting uses which pose a risk to groundwater. • Restrictions can be specified in the land use by-law.
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7. An Integrated Approach to Wellfield Protection Management

As discussed in Section 3, both the Town of Middleton and the County of Annapolis have been proactive about protecting the Town of Middleton Wellfield. The policies established and actions taken thus far provide a firm foundation to further strengthen groundwater protection. Land use planning is an important tool for protecting groundwater and balancing the development interests within the Middleton community and will be used as part of the Town of Middleton's comprehensive Source Water Protection Plan. Other tools, such as best management practices and public education, will be integrated alongside land use planning mechanisms.

Where risk analysis in Section 6 identified concern about future change to the land use, land use planning amendments will be the primary tool for reducing the risk of groundwater contamination. Where the identified concern is about management of potential risk associated with an existing use, other management tools will be the primary strategy for reducing the risk of groundwater contamination.

Strategy 7.1. Update Town of Middleton Municipal Planning Strategy Water Policy

Town of Middleton Council will update the Municipal Planning Strategy Water Policy to implement the land use planning recommendations in this management plan.

Town of Middleton Council Action Item 7.1.1

MPS Section 2.13 Water Policy states:

W2. Council shall investigate various methods or protection of the watershed area. The Town shall co-operate with the county to ensure the most beneficial and expedient method of protection of the watershed area.

Pursuant to policy W2, the Town of Middleton Council will accept the recommendations made in this Middleton Wellfield Protection Management Plan. The council shall undertake, as necessary, additional amendments to the MPS and LUB to institute wellfield protection measures.

Town of Middleton Council Action Item 7.1.2

Town of Middleton Council will add the Wellfield Protection Zones to all relevant zoning and land use maps in the Town of Middleton Municipal Planning Strategies and Land Use By-laws. Town Council will request the Annapolis County Council to add the Wellfield Protection Zones to all relevant maps in Annapolis County East End Area MPS and LUB.

Strategy 7.2. Apply a Hierarchy of Land Use Restrictions within the Wellfield Protection Area

Both the Town of Middleton and the Annapolis County Land Use By-Laws have policies stating that where the provisions of the By-Laws conflict with any other Municipal by-law, Provincial or federal regulation, the higher or more stringent regulations shall prevail (Annapolis County East End Area Land Use By-Law Section 7.1, page 26 and Town of Middleton Land Use By-Law Section 4.4.2, page 13).

Town of Middleton Council Action Item 7.2.1

In conformance with the Town of Middleton Land Use By-Law Section 4.4.2, Town Council will recognize that properties falling within the Wellfield Protection Zones are subject to more stringent land use restrictions and those restrictions will prevail when making land use decisions.

Annapolis County Council Action Item 7.2.2

Middleton Town Council will request Annapolis County Council to make a similar recognition pursuant to the Annapolis County East End Area Land Use By-Law Section 7.1.

Strategy 7.3. Retain Town of Middleton Ownership of Land

Land acquisition within the wellfield area enables a very high level of protection because a municipality can control land use, offer surveillance, and enforce rules and regulations that protect groundwater. As discussed in section 5.1, the Town of Middleton owns all of the land in Zones 1 and 2, and a significant amount in Zones 3 and 4. It is recommended that the Town of Middleton retain ownership of the land in Zones 1 and 2 in order to continue control over land use within close proximity to the wellheads. The Town may also consider purchasing additional land in Zones 3 and 4 as it becomes available to further enhance groundwater protection.

Town of Middleton Council Action Item 7.3.1

The Town of Middleton Council will commit to protecting the wellfield through land ownership. The Town will retain ownership of land in the Wellfield Protection Area and consider purchasing additional land in the area as it becomes available.

Strategy 7.4. Retain Current Zoning

The current zones in the Town of Middleton By-Law and the Annapolis County East End Area By-Law are for the most part consistent with protecting the wellfield.

Town of Middleton Council Action Item 7.4.1

Town Council shall commit to retaining the current zoning in the Middleton Wellfield Protection Area. If a change in zoning or land use is proposed, Council will only consider those uses which have equal or less potential to contaminate the groundwater than current zoning.

Annapolis County Council Action Item 7.4.2

The Town of Middleton Council will request that the Annapolis County Council retain the current zoning in the Middleton Wellfield Protection Area. If a change in zoning or land use is proposed, Annapolis County Council shall only consider those uses which have equal or less potential to contaminate the groundwater than current zoning.

Strategy 7.5. Address Potential Risk from Agricultural Use in Zone 3 By Negotiating Land Purchase and Rezoning.

As discussed in Sections 5.2.1 and 6, there is a portion of land zoned Agricultural that falls within Wellfield Protection Zone 3. Potential agricultural uses, such as storage or transfer of fuel and storage of chemicals including pesticides and fertilizers, on this site could pose a risk to the groundwater. It is recommended that the Town of Middleton enter into negotiation with the property owner of PID# 05196746 (Highway 201, Nictaux) to purchase the portion of this property that falls within Zone 3. This portion of land will then be rezoned from Agriculture Use (AG) to Open Space (OS). These measures will provide a high level of groundwater protection in Zone 3.

Middleton Town Council Action Item 7.5.1

The Town of Middleton Council will enter negotiation with the property owner of PID# 05196746 (Highway 201, Nictaux) to purchase the portion of this property that falls within Zone 3.

Annapolis County Council Action Item 7.5.2

Following the Town of Middleton's purchase this portion of PID# 05196746 (Highway 201, Nictaux), the Town of Middleton will request that the Annapolis County Council rezone this portion of land from Agriculture Use (AG) to Open Space (OS).

Strategy 7.6. Restrict Certain Highway Commercial Land Uses in Wellfield Protection Zone 4

As discussed in Sections 5.3.3 and 6, certain uses allowed in the Highway Commercial zone pose a potential risk to groundwater. The current use, Physiotherapy & Osteopathy, poses no greater risk to the groundwater than the surrounding residential uses. Concern is therefore about the potential risk posed by a future change in use.

It is recommended that property (PID# 05267836, 474 Main Street) zoned HC be subject to more stringent restrictions due to its location within Wellfield Protection Zone 4. It is recommended that the Town of Middleton Council continue to permit certain HC uses as of right. Land uses other than those explicitly permitted will only be considered by the development agreement. Gas stations, gas bars or any other facility offering service to automobiles, sales of gasoline, diesel fuel and lubricating oil will be explicitly prohibited and *not* considered by development.

agreement within the Wellfield Protection Area, including property (PID# 05267836, 474 Main Street) currently zoned Highway Commercial.

Town of Middleton Council Action Item 7.6.1

The Town of Middleton Council shall consider Highway Commercial uses other than those explicitly permitted in Wellfield Protection Zone 4 only by development agreement. Gas stations are prohibited and will not be considered by the development agreement. Council shall amend the Town of Middleton Municipal Planning Strategy to allow for this consideration in Section 3.6 Development Agreements, I13:

- (e): Change in use, to anything other than a permitted use listed, except gas stations, under Special Requirement 13.3.1 (a) in the Highway Commercial zone on property (PID# 05267836, 474 Main Street) which falls within the Middleton Wellfield Protection Zone 4.

Town of Middleton Council Action Item 7.6.2

Town of Middleton Council will amend the Land Use By-Law to include under Section 13.3 Special Requirements, a list of permitted HC uses for property (PID# 05267836, 474 Main Street), and a requirement that all other uses will only be considered by development agreement.

13.3.1 Special Requirement: Highway Commercial Uses in Wellfield Protection Zone 4

13.3.1 (a) The following uses are permitted as of right in the Highway Commercial zone on property (PID# 05267836, 474 Main Street) in Wellfield Protection Zone 4:

- Amusement Arcades
- Animal kennels and grooming
- Bowling Alleys
- Driver training schools
- Funeral parlors
- Grocery Stores and supermarkets
- Hobby shops and craft stores
- Hotels, motels and youth hostels
- Marine craft and accessories
- Non-motorized commercial recreation uses.
- Private and public halls
- Recreational-trailer parks and variety stores accessory thereto
- Restaurants
- Take out food outlets.
- Taverns, beverage rooms and lounges
- Theatres
- Veterinary clinics

(b) All other uses allowed in the Highway Commercial zone will only be considered by development agreement in the Highway Commercial zone on property (PID# 05267836, 474

Main Street) in Wellfield Protection Zone 4. Dry cleaners, gas stations, gas bars or any automotive trade or other facility offering service to automobiles, sales of gasoline, diesel fuel and lubricating oil are prohibited and shall *not* be considered by development agreement within the Wellfield Protection Area, including property (PID# 05267836, 474 Main Street) zoned Highway Commercial.

No development agreement proposal will be approved that would put the Town of Middleton's water supply at risk. When considering a development agreement proposal, Council shall have regard to the potential for increased risk of groundwater contamination through runoff containing toxic chemicals, including but not limited to detergents, solvents and petroleum products. Council may require the landowner to submit a management plan that includes details about the location, storage and/or handling of potential contaminants such as petroleum products and chemicals. Council will consider whether the landowner is carrying out best management practices regarding equipment maintenance, containment and cleanup of spills, chemical/automotive parts disposal, wastewater disposal, and minimizing use of toxic chemicals. Council may require the property owner to complete the Business Environmental Checklist in order to identify further opportunities for reducing pollutants that could impact the groundwater (https://www.gov.ns.ca/nse/pollutionprevention/docs/biz_checklist_factsheet.pdf).

Furthermore, Council may stipulate that the landowner have appropriate studies conducted by a qualified expert to assess the risk of impact on the quality and quantity of the groundwater before approving a development agreement.

Strategy 7.7. Cooperate with Soldiers Memorial Hospital to Ensure Protection of Groundwater in Zone 4

As discussed in sections 5.3.2.1 and 6, Soldiers Memorial Hospital has a large heating oil tank that poses a potential risk in the case of a leak or spill. The Hospital is being proactive about ensuring their tank has secondary containment and is developing specific protocols to deal with a potential spill or leak.

Town of Middleton Water Utility Action Item 7.7.1

The Town of Middleton Water Utility shall maintain a positive working relationship with the hospital to ensure that hospital administrators are aware of the hospital's proximity to the wellheads and its location within Zone 4 of the Wellfield Protection Area. The Town of Middleton Water Utility will continue to cooperate with the Annapolis Valley District Health Authority to ensure that their District Hazards Plan sufficiently considers groundwater protection in their policies and protocols regarding fuel and salt storage.

Strategy 7.8. Ensure that Sewage Lift Station Continues to Pose Little Risk to the Groundwater

As discussed in Sections 5.3.2.2 and 6, there is a sewage lift station that poses a low risk to groundwater contamination within Wellfield Protection Zone 4.

Town of Middleton Water Utility Action Item 7.8.1

The Town of Middleton Water Utility shall monitor the overflow from the Sewage Lift Station PS#4 located on the grounds of the Veteran's Memorial Hospital (PID # 05077821, 462 Main Street) and take necessary actions to remediate the situation if it ever poses a risk to groundwater in Wellfield Protection Zone 4. The Water Utility will consider the impact overflow from the sewage lift station would have on the quality of groundwater in the event of a severe flood that may carry sewage into the more sensitive Wellfield Protection Zones 1 or 2. These considerations will be incorporated into the Contingency Plan.

Strategy 7.9. Ensure Security and Proper Maintenance of the Wellhead Site

There is a need to balance discouraging potentially harmful access to the wellheads and ensuring that the wellheads can be easily accessed by authorized maintenance personnel. Gating entrance to the wellhead maintenance road and erecting a fence around the wellheads will add a level of security to the groundwater at the most sensitive sites and indicate to the public that they are approaching a sensitive area. Regular maintenance of the wellhead sites will ensure that maintenance personnel can access the wellheads.

Town of Middleton Water Utility Action Item 7.9.1

The Town of Middleton Water Utility will ensure that the wellhead site is secure and properly maintained. A gate will be installed at the entry to the wellhead access road and fences installed around the wellheads. Water Utility staff will keep the site properly maintained and clear of any natural growth that would impede access to the wellheads. The Water Utility will investigate other options for ensuring the security of the wellfield as they become necessary, including but not limited to installing waterproof shelter for the wellheads and considering a security alarm system.

Strategy 7.10. Educate the Public about the Wellfield Protection Area

It is recommended that the Town of Middleton make efforts to communicate with all local area residents about the Wellfield Protection Management Plan.

Signs can assist in educating the public about the boundaries of the Wellfield Protection Zones and raise awareness about groundwater protection in general. Signage will be erected at locations where Wellfield Protection Area boundaries intersect with roads, informing people they are entering an important and sensitive area. The Town of Middleton Public Works Department may also determine it is appropriate to erect similar signs on the banks of the Annapolis or Nictaux Rivers at the boundaries of the Wellfield Protection Area, if there is any concern about people, who are unaware of the area's sensitivity and importance, entering the area by water or riverbank. Signage will also be used to discourage entry to the wellhead site.

Town of Middleton Water Utility and Town Council Action Item 7.10.1

The Town shall make Middleton residents aware of the Source Water Protection Plan, including the boundaries of the Wellfield Protection Area and the strategies being undertaken to protect groundwater. The Town shall consider informing the public through means including but not limited to:

- a public open house,
- semi-permanent displays and/or take-home printed fact sheets at grocery stores, churches and public facilities like the Middleton and District Arena and the Rosa M. Harvey Middleton & Area Library,
- mail out of information flyers or booklets,
- information posted on the Town’s website,
- advertisement in the local newspaper.

Town of Middleton Council Action Item 7.10.2

Since the Middleton Source Water Protection Plan necessitates certain amendments to the Town of Middleton MPS and LUB, Town Council will arrange a Public Hearing pursuant to MPS Section 3.5, Policy I12 and in accordance with the provisions of the *Municipal Government Act*.

Annapolis County Council Action Item 7.10.3

Since the Middleton Source Water Protection Plan necessitates certain amendments to the County of Annapolis LUB, Annapolis County Council will inform the public according to County policies on public participation outlined in the Annapolis County East End Area MPS Section 9.8 Public Participation Program.

Town of Middleton Water Utility Action Item 7.10.4

The Town of Middleton Water Utility will erect signs at the entrance to the wellhead maintenance road indicating entry to a Wellfield Protection Area. The Public Works Department will also investigate other appropriate locations to erect signs to inform the public about the sensitivity and importance of the Wellfield Protection Area they are about to enter.

Strategy 7.11. Educate Residents within the Wellfield Protection Area about Potential Domestic Contaminants

Domestic oil tanks are a potential risk in Wellfield Zone 4, as identified in Sections 5.3.1 and 6. Residents within the Wellfield Protection Area can become groundwater stewards with assistance and information from the Town of Middleton. It is recommended that the Town inform residents within the Wellfield Protection Area about potential sources of risk to groundwater on their properties such as oil tanks, private wells, septic systems, pesticide use on home gardens, and storage of fuel and other chemicals.

Town of Middleton Water Utility Action Item 7.11.1

The Town of Middleton Water Utility will survey all existing functional, abandoned and closed wells within the Wellfield Protection Area. If any concerns arise from conducting this survey, such as storage of fuel near a functioning private well or an improperly closed well, the Utility will inform property owners and work with them to mitigate the risk to the groundwater resource.

Town of Middleton Water Utility Action Item 7.11.2

The Town of Middleton Water Utility will send a letter to all residents within the Wellfield Protection Area informing them of the Wellfield Protection Area boundaries, as shown on an easily discernable map. This letter will emphasize the importance of groundwater protection and the increased sensitivities of each Wellfield Protection Zone. Residents will be informed about the risk associated with potential domestic contaminants and encouraged to implement best management practices.

Proper maintenance and monitoring of domestic oil tanks will be highlighted as something that property owners need to be aware of to protect the overall groundwater resource.

The Town of Middleton Water Utility will describe how private wells are direct conduits to the overall groundwater resource and will recommend best practices to ensure that no contaminants are entering the groundwater via private wells. Residents will also be advised on the proper closure of wells no longer in use.

Residents will be directed to best management practices described in NSECC publications including, but not limited to:

- On-site sewage disposal (septic systems)
- A Homeowners Guide to Oil Tank Safety
- Home Garden Pest Control
- Composting Yard Trimmings and Leaves (Waste Reduction Fact Sheet)
- Sustainable Gardening
- Pollution Prevention: At Work and at Home
- Before You Construct a Water Well
- A Guide for Private Well Owners

(These publications and others that may be useful for guiding residents towards best management practices can be found on the NSECC website: <http://www.gov.ns.ca/nse/pubs/>)

The Town of Middleton Water Utility will make staff available to answer inquiries from homeowners working towards groundwater protection measures.

8. Contingency Plan

The Town of Middleton Water Utility has developed a full contingency plan for the town's water supply. The contingency plan addresses operational issues, including equipment or power failure, as well as groundwater protection issues including procedures for the rapid mitigation of environmental accidents, such as a hazardous substance spill, which would constitute a water supply emergency. The Town of Middleton Water Utility will inform emergency responders about the Wellfield Protection Area and indicate that the Utility needs to be contacted immediately in the case of a hazardous substance spill within the area. The Town of Middleton Water Utility has developed alternative sources of water and means of distributing safe drinking water to residents. Furthermore, the Utility has a plan for communicating with residents who rely on the public water source about a water emergency, including boil water advisories. According to NSECC's guidelines for developing a source water protection management plan, the contingency plan includes:

- General procedures for routine emergencies or major emergencies within a water supply area
- A procedure for equipment becoming inoperable in a major emergency and/or due to power failure.
- A procedure for dealing with spills or releases.
- An alternative water source
- A plan for isolating affected areas and distributing water from unaffected areas.
- Communicating with residents about reducing water use and the provision of bottled water if that will be made available during an emergency.
- A boil water advisory procedure
- Facility-specific information on the hazardous material stored or transported in the source water area.
- Provision for annual review and update by the utility.

9. Monitoring Program to Evaluate the Effectiveness of the Town of Middleton Wellfield Protection Plan

According to NSECC's guidelines for developing a source water protection management plan, municipalities must develop a monitoring program to evaluate the effectiveness of the protection plan. The Town of Middleton Water has laid out a full monitoring program. The Monitoring Plan will help the Town of Middleton Water Utility determine how effectively the Town of Middleton Source Water Protection Plan is being implemented as well as how effectively the quality and quantity of the groundwater is being protected.

As per the Guidelines for Monitoring Public Drinking Water Supplies and the Nova Scotia Treatment Standards for Municipal Drinking Water Systems the Town of Middleton Water Utility conducts bacteriological tests and monitors chlorine levels at the extremities of the system once per week and annually at the wellheads. Quarterly sampling is conducted for the Corrosion Control Program, which includes sampling for pH, Alkalinity, Conductivity, Temperature, and Free Chlorine Residual at 5 sample sites. A sampling program for THM and HAA content that conforms to the standards set out for the operation of a Water Utility. A Copper and Lead Annual Monitoring Plan where samples are collected annually at 10 residence homes. Twice per year there are full Standard Water analysis + total metals conducted of the individual production wells to ensure the quality of the raw water supplied to the Water Utility infrastructure. As per the guidelines set forth by NSECC, every 2 years raw water samples are taken from the wellheads and tested as per the Guidelines for Monitoring Public Drinking Water Supplies. And finally, every 5 years the wellheads raw water is tested for all health-related parameters in the Guidelines for Canadian Drinking Water Quality (latest version).

The Town of Middleton Water Utility uses a SCADA software monitoring system, which has given the utility a sophisticated tool for monitoring the groundwater supply and treated water quality. This system of continuously monitoring essential water quality criteria combined with the routine water sampling procedures ensures the highest standards of water quality.

The Town of Middleton's Water Utility Monitoring Plan:

- Confirms the parameters to be measured.
- Confirms the locations and frequency of sampling.
- Establishes baseline data.
- Records results and determines if conditions are satisfactory and/or changing.
- Uses water quantity measurements to aid in evaluation of the protection plan.
 - For example, if the water quantity in Middleton were to decrease dramatically, the risk of contamination could increase. Therefore, water quantity data can also inform the protection of water quality.

In addition to the SCADA computer monitoring system, The Town of Middleton Water Utility conducts weekly visual inspections of the wellhead sites to ensure there are no potential contaminant sources. The Water Utility also conducts once per month visual inspections of the potential sources of contaminants identified in Sections 5 & 6 to ensure that property owners are not compromising groundwater quality.

The Water Utility uses the water quality and quantity information provided by the SCADA monitoring system and visual inspections to determine whether the Wellfield Protection Management Plan is effective at enabling satisfactory water quality results. The results of the water quality monitoring program and visual inspections may indicate poor quality, and that land use practices could be changed to increase water protection. In such a case, the Town of Middleton Water Utility in conjunction with the Town of Middleton and Annapolis County councils will alter the Source Water Protection Plan accordingly until results are satisfactory. Following any alteration of the Protection Plan, the Water Utility will continue monitoring water quality and assessing whether the Protection Plan is succeeding at protecting groundwater. In addition, the Town of Middleton Source Water Protection Plan will be reviewed as part of the Town of Middleton and County of Annapolis East End Area municipal planning strategy periodic reviews. The Water Utility will provide input on whether the Plan is succeeding from a water quality and quantity perspective.

Town of Middleton Water Utility Action Item 9.1

The Town of Middleton Water Utility will develop a Monitoring Plan, incorporating data provided by the SCADA monitoring system as one tool to determine the effectiveness of Source Water Protection Plan.

Town of Middleton Water Utility Action Item 9.2

As part of the monitoring program, the Town of Middleton Water Utility will conduct weekly visual inspections of the wellhead site and monthly inspections of the Wellfield Protection Area to identify any new sources of potential contamination or increased risk of contamination from known potential contaminant sources.

Town of Middleton Source Water Protection Advisory Committee Action Item 9.3

The Town of Middleton Water Utility will establish a Source Water Protection Advisory Committee. The Source Water Protection Advisory Committee will be established and will operate according to NSECC's "Developing a Municipal Source Water Protection Plan: A Guide for Water Utilities and Municipalities, Step 1: Form a Source Water Protection Advisory Committee". The Committee will establish goals and objectives including providing advice to the Middleton Town Council and the Town of Middleton Water Utility on matters related to land use issues and water quality. The Committee will set out terms of reference in consultation with the municipality and the utility and be officially recognized by Middleton Town Council. As outlined by NSECC, the committee will meet as necessary, but no less than three times per year. The committee must prepare an annual report of its activities to be distributed to all organizations and individuals represented on the committee and to other interested parties. The committee will conduct annual reviews of the Source Water Protection Plan, Contingency Plan and Monitoring Plan to ensure that action items are being implemented and to recommend any changes to the plan as required.

Town of Middleton Council in conjunction with the Town of Middleton Water Utility and the Annapolis County Council Action Item 9.4

The Town of Middleton Source Water Protection Plan will be reviewed as part of the periodic reviews of the Town and County Municipal Planning Strategy Reviews. The Town of Middleton reviews its MPS as needed, generally within 10 years from the date of its latest adoption. The Annapolis County East End Area Municipal Planning Strategy is reviewed as needed, or within 5 years of its latest adoption. The Town of Middleton Water Utility and the Middleton Source Water Protection Advisory Committee will participate in the review of the Source Water Protection Plan and all parties will work together to develop strategies to address new concerns that arise during the periodic reviews. If land use concerns arise prior to a periodic review, Councils will conduct an early review of the Source Water Protection Plan and will work with the Water Utility and the Advisory Committee to develop solutions that will ensure the protection of the groundwater supply.

Town of Middleton Water Utility with the Middleton Source Water Protection Advisory Committee Action Item 9.5

The Town of Middleton Water Utility will conduct a full update of the Monitoring Program every 5 years. The Middleton Source Water Protection Advisory Committee will participate in the five-year Monitoring Plan update. The five-year updates of the Monitoring Plan will be timed to coincide with the reviews of the Source Water Protection Plan, the Annapolis County East End Area MPS and LUB review. Changes in the Monitoring Plan, the Source Water Protection Plan and any required MPS or LUB amendments can therefore all be made within the same review period.

10. Wellfield Protection Implementation Plan

Table 8.1: Implementation of the Town of Middleton Wellfield Protection Plan

Action Item	Management Strategy	Responsibility	Timeframe
7.1.1	Update Town of Middleton MPS Water Policy	Town of Middleton Council	By December 2009
7.1.2	Update Town of Middleton MPS Water Policy	Town of Middleton Council	By December 2009
7.2.1	Apply a Hierarchy of Land Use Restrictions within the Wellfield Protection Area	Town of Middleton Council	By December 2009
7.2.2	Apply a Hierarchy of Land Use Restrictions within the Wellfield Protection Area	Annapolis County Council	By December 2009
7.3.1	Retain Town of Middleton ownership of land	Town of Middleton	Ongoing
7.4.1	Retain Current Zoning	Town of Middleton	Ongoing
7.4.2	Retain Current Zoning	Annapolis County Council	Ongoing
7.5.1	Enter negotiations with owner of PID# 05196746 (Highway 201, Nictaux) to purchase the portion of this property that falls within Wellfield Protection Zone 3.	Town of Middleton	2009/2010 fiscal year
7.5.2	Rezone the portion of PID# 05196746 (Highway 201, Nictaux) purchased by the Town of Middleton to Open Space (OS)	Annapolis County Council	By December 2010
7.6.1	Amend MPS to consider by development agreement proposals for a change in use to anything other than the list of permitted uses on PID# 05267836, 474 Main Street, in the Highway Commercial zone that falls within Wellfield Protection Zone 4.	Town of Middleton Council	By December 2009
7.6.2	Amend LUB to permit listed uses and only consider by development agreement other uses on PID# 05267836, 474 Main Street, in the Highway Commercial zone that falls within Wellfield Protection Zone 4.	Town of Middleton Council	By December 2009
7.7.1	Cooperate with Soldiers Memorial Hospital to Ensure Protection of groundwater in Zone 4	Town of Middleton Council	Ongoing
7.8.1	Ensure that Sewage Lift Station poses little risk to the groundwater	Town of Middleton Water Utility	Ongoing
7.9.1	Ensure Security and Proper Maintenance of the Wellhead site	Town of Middleton Water Utility	Ongoing
7.10.1	Educate the Public about the Wellfield Protection Area – <i>Meetings & Information</i>	Town of Middleton Council & Water Utility	Ongoing
7.10.2	Educate the Public about the Wellfield Protection Area – <i>Public Hearing</i>	Town of Middleton Council	Ongoing
7.10.3	Educate the Public about the Wellfield	Annapolis County	Ongoing

Action Item	Management Strategy	Responsibility	Timeframe
	Protection Area - <i>Public Hearing</i>	Council	
7.10.4	Educate the Public about the Wellfield Protection Area – <i>Signage</i>	Town of Middleton Water Utility	Completed
7.11.1	Survey all existing functional, abandoned and closed wells	Town of Middleton Water Utility	June 2025
7.11.2	Educate Residents within the Wellfield Protection Area about Potential Domestic Contaminants	Town of Middleton Water Utility	Ongoing, Educational pamphlets created
8.11	Develop a full contingency plan for the wellfield area	Town of Middleton Water Utility	Ongoing and Updated 2024
9.11	Monitoring Program: Develop Monitoring Plan to monitor water quality and assess Source Water Protection Plan	Town of Middleton Water Utility	Completed Dec 2024. Ongoing with SWPP updates
9.2	Monitoring Program: Visual Inspection of wellheads and Wellfield Protection Area	Town of Middleton Water Utility	Ongoing, weekly/monthly
9.3	Monitoring Program: Establish a Middleton Source Water Protection Advisory Committee, which provides recommendations, and an annual review of the Source Water Protection Plan, Contingency Plan, and Monitoring Plan.	Middleton Source Water Protection Advisory Committee	Ongoing. Meet 4 times/ year. Conduct Annual Reviews.
9.4	Monitoring Program: Review of Source Water Protection Plan at the same time as the Town and County MPS periodic reviews	Town of Middleton, Annapolis County Council, Town of Middleton Water Utility & Middleton Source Water Protection Advisory Committee	At periodic reviews of Town and County East End Area Municipal Planning Strategies
9.5	Monitoring Program: Update Monitoring Plan	Town of Middleton Water Utility & Middleton Source Water Protection Advisory Committee	Every 5 years from the adoption of the Monitoring Plan. Timed to coincide with the periodic reviews of County and Town MPSs and LUBs, and the review of the Wellfield Protection Management Plan

Appendix A

Appendix A

Property Owners in the Middleton Wellfield Protection Area (10 May 2023)

Property Owner	PID	Civic Address	Mailing Address
Gordon Brown, Donna Noble-Brown	05030440	Highway 1, Wilmot	PO BOX 1247
William & Julie Forest	05077995	22 Acadia Street	PO BOX 447
Mark MacFadyen	05078019	30 Acadia Street	PO BOX 1313
Brian David Smith & Patricia Wendy May	05078001	26 Acadia Street	PO BOX 74
Town of Middleton	05077987	Acadia Street	
Cornelia Schoonhoven	05077979	16 Acadia Street	PO BOX 113
Nancy Vandommelen & Mark Bazinet	05077961	12 Acadia Street	PO BOX 804
Douglas J. Hessler & Phyllis L. Coops	05077953	8 Acadia Street	PO BOX 851
Sherri Lee Blackburn	05077946	6 Acadia Street	PO BOX 1188
William Van Dam	05077938	4 Acadia Street	269 Victoria St., Inverhuron, ON N0G 2T0
Brent Allan Adams	05077920	2 Acadia Street	PO BOX 461
Earl Johnson	05077870	15 Acadia Street	PO BOX 866
Darren Leslie & Cecilia Mary Hicks	05077896	9 Acadia Street	
Lester & Sheila Isabel Collins	05267844	1 Acadia Street	PO BOX 1565
James and Roxanne Lasko	05267851	3 Acadia Street	PO BOX 1334
Negar Kashani	05077904	5 Acadia Street	1648 Maple St., Kingston B0P 1R0
Stillpoint Properties Limited	05267836	474 Main Street	283 Grant Rd., Paradise B0S 1R0
Sandra Marie Wharry	05077847	476 Main Street	3058 Hwy 221, Aylesford B0P 1C0
Annapolis Valley District Health Authority	05077821	462 Main Street	15 Chipman Dr., Kentville B4N 3V7
Mary Harvey	5079611	10 Ross Lane	PO BOX 307
Graham A. Hood & Rosa Maria Calderon-Ortiz	5077813	6 Ross Lane	PO BOX 148
R. Bryson and Ingrid Crowell	05079603	2 Ross Lane	PO BOX 906
R. Bryson and Ingrid Crowell	05213509	Jones Avenue	PO BOX 906
Ronald G. & Paula Jean Wallis	05079470	6 Riverside Drive	PO BOX 1372
Town of Middleton	05075809	Riverside Drive, Nictaux	
Frederick William Roch	05196746	Highway 201, Nictaux	PO BOX 209
Frederick and Anna Roch	05216098	Oakhurst Road, Nictaux	PO BOX 209
Town of Middleton	05187836	Highway 1, Nictaux	

Property Owner	PID	Civic Address	Mailing Address
Town of Middleton	05182951 * PW1	Highway 1, Nictaux	
Town of Middleton	05180187 *PW2&PW3	Highway 10, Nictaux	
Lee & Gayle Ann Armstrong	05075791	Highway 10, Nictaux	31 Greenhouse Rd., Nictaux B0S 1P0
James and Heike Landry	05075668	Highway 10, Nictaux	85 Greenhouse Rd., Nictaux
James and Heike Landry	05185863	85 Greenhouse Road, Nictaux	

Appendix B
Terms Of Reference

TOWN OF MIDDLETON CODE A – GENERAL ADMINISTRATION	
Subject: Source Water Protection Advisory Committee Terms of Reference	Number: 3.10
Coverage: Council, Staff & Public	Approved by: Council
Effective Date: January 21, 2019	Revision Date:

1. Objective

The purpose of the Source Water Protection Advisory Committee is to provide a forum for the Landowners, the Town of Middleton and other Stakeholders to work cooperatively to maintain the water quality and quantity of the Town of Middleton's water supply. The Committee recognizes that the protection of source water is the first step in the multi-barrier approach to clean, safe drinking water.

The Source Water Protection Advisory Committee is established in response to the need to develop a Source Water Protection Plan. The Committee will report to the Middleton Town Council and is recognized by the Town of Middleton, Municipality of the County of Annapolis and the Town of Middleton Water Utility.

2. Definitions

- 2.1 **Committee** means the Source Water Protection Advisory Committee.
- 2.2 **County** means the County of Annapolis.
- 2.3 **Protected Water Area** means an area surrounding a source of drinking water as a protected water area, designed under the Environment Act by the Minister of Environment. Regulations for a PWA can only be developed in the context of Section 106 of the Environment Act. Lily Lake is a Protected Water Area.
- 2.4 **SWP Areas** means the portion of the source water supply area that will be covered by the source water protection plan – this includes the wellfield and Lily Lake.
- 2.5 **Town** means the Town of Middleton.

3. Membership

- 3.1. The Committee will consist of:
 - Three (3) Landowner representatives – two (2) residing in the Town, one (1) residing in the County, preferably owning land within the SWP areas;
 - Two (2) Councillors, Town and Town Water Utility;
 - One (1) Councillor, County;

Non-voting members:

- Chief Administrative Officer;
- Director of Public Works, Town;
- Planner, Town;
- Planner, County;
- Representative of NS Department of Environment;
- Other resources as needed, NS Lands and Forestry, NS Transportation, NS Agriculture, etc.

- 3.2 Applications for appointment to the Committee shall be invited by public advertisement.
- 3.3 The Chair and the Vice-Chair of the Committee are appointed annually by the membership at the meeting closest to January 1st.

4. Qualifications

- 4.1. Any member of the Committee is eligible for reappointment.
- 4.2. Any member of the Committee, who is absent from three consecutive meetings of the Committee, forfeits office, unless the absence is caused by illness or is authorized by resolution of the Committee and noted in the Committee minutes. Any member who so forfeits office is eligible for reappointment following the remainder of the unexpired term.

5. Mandate

The Committee has the following responsibilities:

- 5.1. Assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically.
- 5.2. Provide the Town, County and Utility with recommendations on matters concerning land-use issues, as well as water quality, levels and flows in the SWP areas.
- 5.3. Assist with revisions of the regulations for the Protected Water Area as required.
- 5.4. Review and make recommendations on activities affecting the SWP areas, as requested by the Town.
- 5.5. Provide and develop information and education about the SWP areas for local residents, landowners and users of the SWP areas.
- 5.6. Provide a forum to deal with issues and concerns in the SWP areas. The Committee will address problems and solutions on matters of concern, as they arise.
- 5.7. Advice on forest matters and other land use issues.

- 5.8. Develop Best Management Practices for activities in the SWP areas. These Best Management Practices will also be used to guide any approval processes for activities.
- 5.9. Liaise with government agencies and other resources not represented on the Committee on matters affecting the SWP areas, such as NS Agriculture, NS Lands and Forestry, NS Transportation, and the federal Department of Fisheries and Oceans.
- 5.10. To provide information on Committee activities to landowners in the SWP areas.

6. Rules of Engagement

- 6.1. The Committee will endeavour to conduct business by consensus. The Chair may put the matter to a vote if they deem that a consensus is not achievable.
- 6.2. A quorum consists of a majority of members of the Committee.
- 6.3. The Committee will meet as necessary, but no less than three (3) times a year.

7. Members' Roles

7.1. Landowners

The landowners are responsible for having representation on the SWP Advisory Committee. They are in a unique position of knowing the SWP areas and their land, in addition to their own and their neighbours' land use practices. The landowners are encouraged to express their concerns and interests; advise and provide information to the Committee on land use management and source water protection; communicate with other landowners on Committee activities and report any problems that they may encounter with the SWP areas.

7.2. Town Councillors

It is the responsibility of the Councillors to represent the interests of the citizens served by the Town's Water Utility and the Town Council. The Councillors will also represent the Town's interests as a landowner in the SWP areas.

7.3. County Councillor

It is the responsibility of the Council to represent the interests of the citizens served by the Town's Water Utility, the SWP areas landowners, and the County Council.

7.4. Town Staff

Town staff will report to the Committee on activities undertaken by the Town and the County and any approvals in the SWP areas. Staff will work with the Committee providing information and advising on topics relating to source water protection, watershed management, land use and the operation of the Town's Water Utility. Staff will also bring forth concerns relating to water quality and management.

7.5. Department of Environment

The NS Environment representative will work with the Committee providing information and advising on topics related to source water protection, watershed management, the Environment Act and Protected Water Area Regulations.

8. Certification

I, Jennifer Boyd, Town Clerk of the Town of Middleton, do hereby certify that the policy, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the 21st day of January 2019.

GIVEN under the hand of the Town Clerk and the corporate seal of the Town of Middleton this 31st day of January 2019.


Jennifer Boyd
Town Clerk

REQUEST FOR DECISION
Cross Connection Bylaw
RFD#: 029-2025



To: Town Council
From: Adam Verran, Director of Public Works
Date: June 16, 2025
Subject: Cross Connection Bylaw

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Cross Connection Bylaw

Legislation

- A Cross Connection Control program is a requirement to operate the water utility

Recommendation

That Council give first reading to the Cross Connection Bylaw.

Background

A Cross Connection Control Program is a requirement to operate the water utility; part of the Town of Middleton Cross Connection Control Program includes the Cross Connection Control Bylaw. The Bylaw has already been submitted and reviewed by The Department of Environment and Climate Control and satisfies their requirements.

The Cross Connection Bylaw was presented to the Source Water Protection Committee in April 2025. Although a formal motion was not recorded, the committee members and staff were in agreement with the bylaw.

The next steps for the bylaw are as follows:

1. Notice of Second Reading ad must be posted on the Town's website OR published in a local paper 14 days prior to second reading
2. Council gives Second Reading of the bylaw
3. Once Council gives Second Read of the bylaw, a Notice of Adoption ad must sent to the local newspaper OR posted on the Town's website
4. The bylaw and documents become effective on date of publication

REQUEST FOR DECISION
Cross Connection Bylaw
RFD#: 029-2025



- 5. The Town Clerk must certify a copy of the bylaw document with the Town seal
- 6. A certified copy of the bylaw must be sent to the Minister

Financial Implications

N/A

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
X	Environment	
X	Infrastructure	
	Economy	
	Community	
X	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: June 16, 2025

CROSS CONNECTION CONTROL BYLAW

Be It Enacted by the Council of the Town of Middleton, under the authority of the Municipal Government Act, S.N.S. 1998, Chapter (18), as follows:

1. This Bylaw shall be known as, and may be cited as, the “CROSS CONNECTION CONTROL BYLAW”.

DEFINITIONS

2. In this Bylaw, words take their ordinary dictionary meaning other than those defined below:
 - a. **“Auxiliary Water Supply”** means any water supply, on or available to the Property, other than the Potable Water that is supplied by the Town.
 - b. **“Backflow”** means the reversal of the normal direction of the flow of water.
 - c. **“Backflow Prevention Device”** (BFP Device) means a device that is installed to prevent the backflow of water.
 - means a device that is installed to minimize the risk of a potential contaminant entering the distribution system from the customer’s property.
 - d. **“Backflow Prevention Report”** means a document of a Backflow Prevention Device, containing the make, model, serial number, size, type, installation date, location and installation address, the Qualified Person(s) who performed the test, and the test results.
 - e. **“Backflow Preventer Test Tag”** means a tag, in a form satisfactory to the Town, which contains the address of Property, type of device, manufacturer, serial number and size of the device, the test date, the printed name of the Qualified Person, the Qualified Person Cross Connection Control Specialties certificate number and the printed name of the Qualified Company
 - f. **“Cross Connection”** means any actual or potential connection between a potable water supply or system and any source of pollution or contamination. This includes any bypass, jumper connection, removable section of pipe, swivel, or changeover device, and any other temporary or permanent connection arrangement through which backflow can occur.
 - g. **“CSA”** means Canadian Standards Association

- h. **“Emergency”** means a situation or an impending situation that could negatively affect the quality of Potable Water or constitute danger to the Municipal Drinking Water System.
- i. **“NPC”** means National Plumbing Code
- j. **“Owner”** means a Person that has control over a property and includes the Owner registered on the title of the Property and any occupant of any Building or Structure located on such Property.
- k. **“Premise Isolation”** means Backflow protection provided at the water lateral entrance to a Building or Property.
- l. **“Qualified Company”** means a company registered to the Backflow Prevention Program and possessing all up-to-date required qualifications.
- m. **“Qualified Person”** means a Person with approved qualifications as set out in the Authorized Function List and currently employed by a Qualified Company.
- n. **“Service Connection”** means the connection between the Municipal Drinking Water System and a user’s system.
- o. **“Town”** means the Town of Middleton.
- p. **“Water Meter”** means all equipment installed for the purpose of measuring the water supplied by the Town.
- q. **“Water System”** means any part of the water utility infrastructure owned by the Town of Middleton.
- r. **“Wastewater”** means water that has lost its potential to be used in the home, in a business, or as part of an industrial process. The contaminated water may contain waste products, detergents, cleaning agents, etc. from homes and offices, or harmful chemicals if discharged from industries.

PROHIBITIONS AND INTERRUPTIONS

1. In the event of any breach, contravention, or non-compliance by a person of any of the provisions in any of the subsections the Town may:
 - a. suspend water service to such person,

or
 - b. give notice to the person to correct the breach, contravention or non-compliance within 96 hours, or a specified lesser period, provided that, if such person fails to comply with such notice, the Town may immediately suspend water service to such person.
2. No person shall connect, cause to be connected, or allow to remain connected to a water system, or a plumbing installation, without the prior written approval of the Town, any piping fixtures, fittings container or sanitary appliance in a manner which may cause water, wastewater, or any other liquid, chemical or substance, to ingress or egress the water system.
3. Where, in the opinion of the Town, there may exist a risk of contamination to the water system, the Town may, despite subsection (1), require an owner, at the owner's sole cost and expense, to install at any point on the owner's water service connection, one or more backflow prevention (BFP) devices, which devices shall be of a quality and type approved by the Town.
4. All BFP devices installed pursuant to subsection (3) shall be maintained in good working order, inspected, and tested by a certified tester approved by the Town, at the expense of the owner, and carried out annually or at such other intervals as the Town may require.
5. In the event of a conflict between the provisions of this by-law and the provisions of any other by-law, act or regulation, the provisions that are the most restrictive shall prevail.
6. Any reference in this by-law to any statutes, regulations, by-laws, or association standards shall be deemed to be a reference to such statutes, regulations by-laws, or association standards as amended, restated, or replaced.
7. An owner shall submit a report in a form approved by the Town respecting all tests performed pursuant to subsection (4) on a BFP device within seven (7) days of a test, such report forms to be displayed on or adjacent to the BFP device on which the tester shall record:
 - a. the name and address of the owner of the device,
 - b. the location, type, manufacturer, serial number, and size of the device,

And

- c. the test date, the tester's initials, the tester's name, the name of the tester's employer, and the tester's license number.
8. Installation, maintenance, field-testing, and selection of all BFP devices shall conform to the current plumbing standards, as updated from time to time, and requirements as approved by the Town.
9. Existing owners connected to the water system who are categorized as medium or high risk for a backflow occurrence (as outlined in the Cross Connection Control Program) are required to have a BFP device installed, which devices shall be of a quality and type approved by the Town, within three (3) months of notice given by the Town.
10. Existing owners with an auxiliary water supply are exempt from this by-law and have access to an auxiliary water supply, are required to be protected from backflow if the auxiliary water supply is not connected to the Town's water supply.
11. No person shall connect, cause, or permit to be connected, or allow to remain connected any Auxiliary Water Supply to the Municipal Drinking Water System.
12. The water utility reserves the right to access a building to conduct a survey and hazard assessment or inspect backflow prevention devices for existing buildings and new construction.
13. All BFP devices shall be installed in accordance with current Canadian Standards Association (CSA) and National Plumbing Code (NPC) regulations as amended from time to time.
14. In the event of a conflict between the provisions of this by-law and the provisions of any other by-law, act or regulation, the provisions that are the most restrictive shall prevail.
15. Where a court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this by-law shall continue to be in force unless the court makes an order to the contrary.
16. Any reference in this by-law to any statutes, regulations, by-laws, or association standards shall be deemed to be a reference to such statutes, regulations by-laws, or association standards as amended, restated, or replaced.

INSTALLATION REQUIREMENTS

1. Except as otherwise set out in this by-law, every owner shall ensure a BFP device is installed in respect of premise isolation for each connection to which potable water is delivered.
 - a. BFP devices installed in respect of premise isolation shall be determined in accordance with CSA and plumbing standards.

- b. The Town has final approval on the selection of the BFP device to be installed.
2. Where a BFP device is installed in respect of premise isolation such device shall be located before the first branch line leading off the water supply line and not more than three (3.0) meters downstream of the water meter, except where circumstances require the device to be installed upstream of the water meter and such location is to the satisfaction of the Town.
3. BFP devices shall be installed by a qualified person in accordance with good engineering and construction practices, manufacturers specifications and meet the requirements of the Nova Scotia Building Code and the CSA Standard.
4. The owner shall ensure that all Backflow Prevention Devices are:
 - a. Located and installed in a such a manner so that in the event of backflow the BFP device prevents contamination of the water system.
 - b. Installed in readily accessible areas to facilitate inspection, field testing and maintenance while complying with the minimum and maximum clearances around the BFP devices as outlined in the CSA Standards.
 - c. Supported and restrained to prevent lateral movement.
 - d. Not bypassed.
5. Where a BFP device is installed in areas subject to freezing, the owner shall ensure it is protected from freezing in a manner acceptable to the Town.

TESTING REQUIREMENTS

1. Every owner who has a BFP device installed on their property shall ensure that:
 - a. Such a device is tested when it is first installed and annually thereafter unless a different timeframe is requested by the Town, as well as when it is cleaned, repaired, overhauled, or relocated.
 - b. The completed Backflow Prevention Test and inspection report is submitted to the Town within seven (7) days of the test being conducted.
 - c. A legibly marked Backflow Prevention Test Tag is affixed to the BFP device.
 - d. When a new connection to the water system is made, a qualified person shall complete and submit a Backflow Prevention Report prior to the request for the turning on of the water valve by the Town.
2. Every qualified person who tests a BFP device shall:
 - a. Ensure that all testing is in accordance with this by-law and the CSA Standard.
 - b. Within seven (7) days of carrying out such test, provide a Backflow Prevention Device Report to the Town and owner.
 - c. Upon completing such a test, complete and affix a Backflow Prevention Device Test Tag in a form satisfactory to the Town.
 - d. Upon finding that a BFP Device is malfunctioning, or otherwise not in proper working order, immediately notify the owner, occupant of the property and the Town of such

condition.

- e. Ensure that the BFP device report submitted to the Town does not contain inaccurate or false information.

CORRECTIVE ACTIONS

1. Where required by the Town, every owner shall take corrective actions to remedy the deficiencies that were identified in the BFP device report for their property. Such corrective actions shall take place within the timeframe required by the Town.
2. Every owner shall take corrective actions to remedy the deficiencies identified on the BFP device report for their property.
3. When a BFP device is found to be malfunctioning or not in proper working order, the owner shall ensure all activities that may result in backflow immediately cease and repair the device immediately. If the device is unable to be repaired during the BFP device test, the owner shall ensure the device is repaired within ten (10) business days of the failed test.
4. Where a BFP device is installed, no person shall not remove, or cause, or permit the removal of the BFP device or part thereof unless the removal is:
 - a. To facilitate the emergency repair of the device and such device is replaced immediately after such repair is carried out,
or
 - b. To replace the BFP device with another that meets or exceeds the provisions of this by-law, or such removal is required to change building functions with written notification having been received by the Town.
5. Within seven (7) days of implementing corrective actions, the owner shall submit to the Town the BFP device Replacement Form.

Damage to the Water System

Any person who receives water from the water system and creates an illegal cross connection or does not take the necessary steps to prevent a backflow incident shall be liable for all costs associated with related work undertaken by the Town or its agents. Such costs may include, but are not limited to, the cost of investigation, disinfection, repairing or replacing any part of the system, to restore the water system to a safe standard of drinking water quality which may be determined through water sample analysis.



Mayor

CAO/Clerk

This is to certify that this Bylaw, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the ___ day of July 2025.

Given under the hand of the Mayor and Chief Administrative Officer of the Town of Middleton this ___ day of July 2025.

Bylaw Adoption	
Date of First Reading:	June 16, 2025
Publication of Notice of Intent:	
Date of 2 nd Reading & Passing:	
Date of Publication of Notice of Passing:	
Description: Passing of Original Bylaw	
First Amendment	
Date of First Reading:	
Publication of Notice of Intent:	
Date of 2 nd Reading & Passing:	
Date of Publication of Notice of Passing:	
Description:	



**A Guide to Assist Nova Scotia
Municipal Water Works Develop a**

Cross Connection Control Program

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A Guide to Assist Nova Scotia Municipal Water Works
Develop a Cross Connection Control Program

Department of Environment

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What is Cross Connection Control (CCC) Program?

A cross-connection control program is one of several measures in the Multi-Barrier Approach to prevent contamination of treated water in the distribution system. The aim of a cross connection control program is to ensure that proper backflow prevention devices are installed and maintained to prevent backflow or back-siphonage of potentially hazardous substances into the water supply.

Why is a Cross Connection Control Program Required?

In addition to being a requirement of a facility's Approval to Operate, a cross connection control program is in-line with industry best practices. When a CCC program is properly developed, implemented and managed, liability concerns are mitigated, and the utility can more effectively demonstrate their due diligence in operations.

Cross Connection is any actual or potential connection between the public water supply and any pipe, vessel, tank, plumbing fixture, equipment or device connected to a non-potable system.

Backflow is the reversal of flow in the public water supply caused by either back-siphonage or back pressure.

Back Siphonage is caused when a reduction in pressure results in a partial vacuum in the piping system.

Back Pressure is caused by a source of pressure that exceeds the public water supply pressure. This causes fluid or gas to be pushed into the water supply.

Where is Backflow Prevention Required?

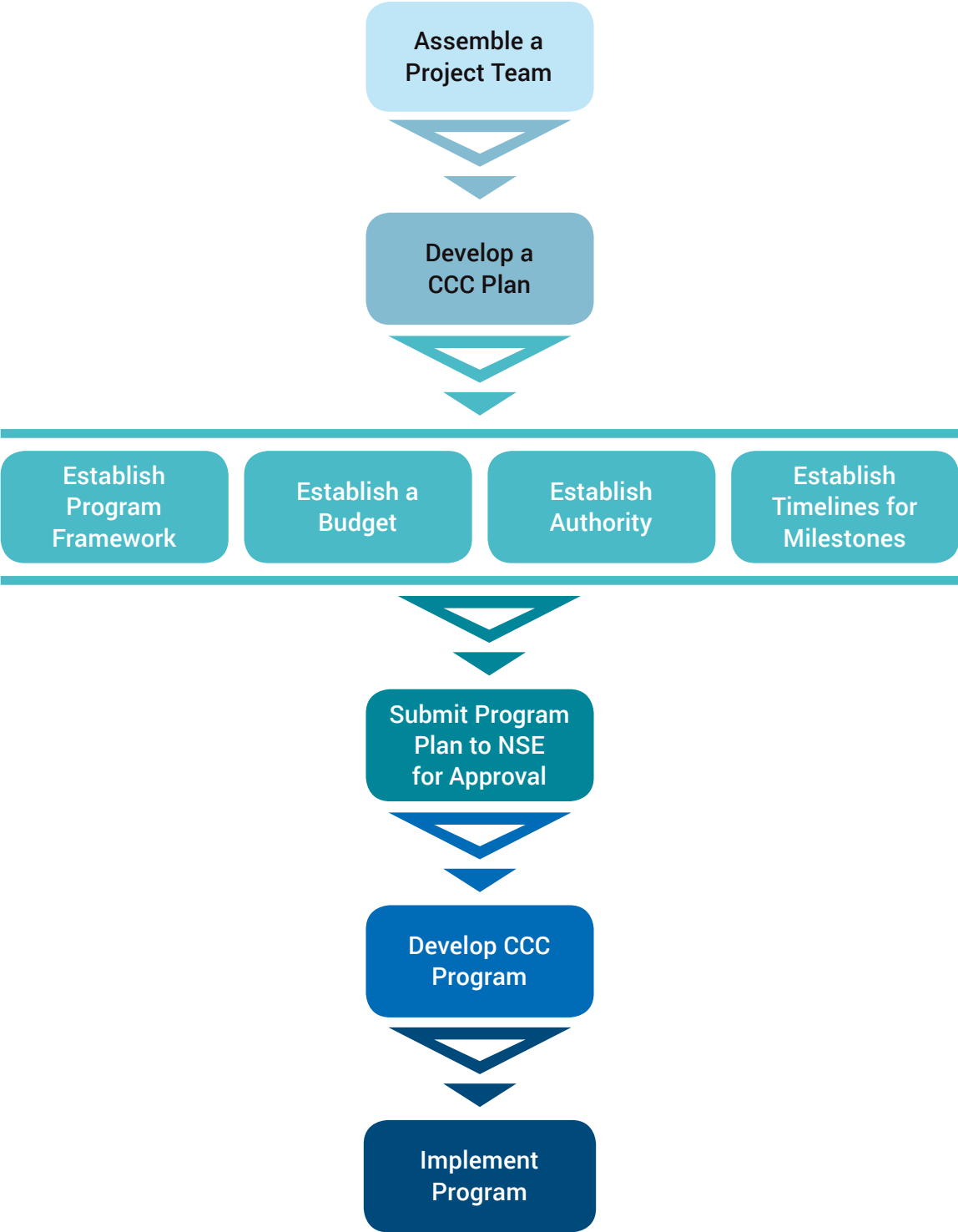
In order to meet the requirements of the Department, the cross connection control program must ensure that backflow prevention devices are required to isolate all facilities classified as either severe/high or moderate risk. Backflow prevention devices must, at a minimum, be installed at or near a point where the water supply enters a building or facility and before any other branch connections. This is known as premise isolation.

Zone, Area or Individual Isolation Programs ensure that occupants within a premise are protected from sources of cross connections that could potentially contaminate water within the building. Zone, Area or individual isolation is not required as part of the Department's mandated cross connection control program.

Backflow Prevention Methods and Devices

Backflow prevention can be achieved by an approved air gap or mechanical device. Air gaps provide the highest degree of protection from backflow however in some installations a mechanical device is required. There are many different types of mechanical backflow prevention devices and selection of an appropriate device depends on the types of conditions (back-pressure and/or back-siphonage) and the severity of the health hazards present in the facility. Testable backflow prevention devices are recommended for all applications.

How do I get Started?



Assemble a Project Team

The first step in assembling a project team is to identify a strong project manager who has the time and ability to lead this initiative. The project manager, whether internal or external, will require support from a project team made up of managers, engineers, operators and administrative staff who will ultimately play key roles in the development and implementation of the program.

Develop a Plan

Once you've established a project team, your next step is to develop a plan outlining the course of action you will take to develop and implement the program. The plan will be unique for every facility in Nova Scotia but should include, at a minimum:

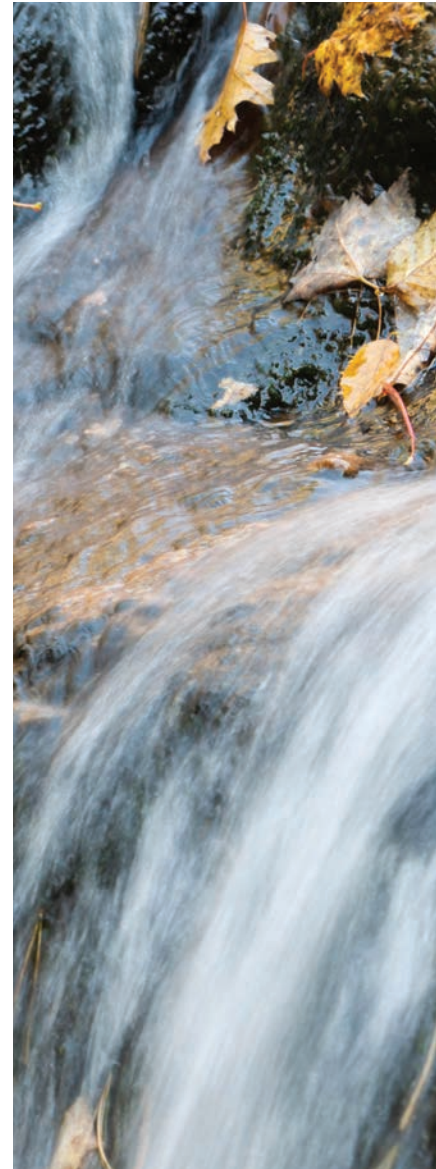
- Program Framework
- Budget
- Authority
- Timelines

Program Framework

The program framework is essentially an outline of the key elements that make up your CCC Program. While each plan may differ between utilities, all programs should include, at a minimum, the following components:

- Program Scope
- Overview of Authority and Power to Enforce
- Roles and Responsibilities
- Hazard Classification Framework
- Survey of Facilities
- Program Administration
- Backflow Incident Response
- Public Education Plan

Each of these topics is discussed in more detail below. From a planning perspective, enough thought should be given to each of the program components so that sufficient resources are allocated to program development. Supporting documentation such as policies and procedures can be developed during the program development phase.



Budget

To ensure a successful and sustainable CCC program, it will be important to identify all costs associated with the development, implementation and on-going maintenance of the program. Some cost considerations might include:

- Staff training
- Additional human resource requirements
- Data management software
- Public education initiatives
- Facility survey and hazard assessment
- Ongoing inspections and data management

It may be helpful to breakdown the budget to reflect initial costs versus annual operating costs for the program.

Authority

Establishing legal authority is critical to ensure the intent of the program is met. Without authority and mechanisms to enforce it, the program's implementation may not be successful. Some utilities may have the necessary authority while others may have to create or amend legislation to grant them the authority required to implement the program.

This might take the form of a by-law. In your submission, clearly indicate what your current authority is, whether gaps exist that will prevent you from implementing your program and how you will work towards addressing those gaps.

Implementation Schedule

Your CCC Plan submission should include timelines for key milestones. The timeline should include, at a minimum, the actionable item, development timeline and implementation timeline for each of the program components outlined above in the Program Framework section. If you've discovered that you do not currently have the authority in place to implement and enforce your CCC Program, this should be one of the first and most important actionable items identified in your timeline.

Creating a Bylaw

The bylaw should clearly outline the following:

- Cross connections are prohibited
- Backflow prevention devices must be acceptable to the owner of the water supply
- Reference to CSA/NPC standards
- Inspection, testing and reporting requirements
- Notification requirements (backflow incidents, failure in testing)
- Compliance activities and timelines
- Consequences for not adhering to the conditions outlined
- Outline water supply owner's right to access a building to conduct a survey and hazard assessment or inspect backflow prevention devices
- Certification/licensing requirements
- Responsibility of consumer regarding installation/maintenance/installation costs

You are encouraged to develop a more detailed project plan for your own use, to facilitate project management. A detailed project plan helps:

- The project team to identify the necessary steps required to carry out each component of the program.
- The project manager to identify all costs, large or small, associated with the development and maintenance of the program.
- Clearly communicate deliverables and timelines to the project team.

Submit Your Plan to NSE

Once developed, your plan should be submitted to NSE for review and acceptance to ensure it satisfies the requirements of the Department. If you have any questions during the planning phase, you are encouraged to contact the Department.

Once you've received confirmation that the plan is acceptable to the Department, you and your project team can begin work on program development and implementation.

Develop Your CCC Program

There are numerous guidance documents available as well as examples of CCC programs across the province that can help you to formulate yours. This section will provide you with some guiding questions to help you think about key elements that should be captured in the creation of your Program.

Program scope

In order to frame up the scope of your program you should consider the following:

- What is the goal of the program?
- What are the responsibilities of the utility?
- What are the responsibilities of the building owner?

Within your organization, you may want to further define roles and responsibilities of staff members in the implementation of the program. You may also want to establish a policy and/or procedure(s) which outline the program and/or specific activities within the program. The intent of these documents is to provide in-depth information for staff who oversee the program.



Authority

Once you have established the legislative authority required to enforce your program, you may want to develop supporting documentation for internal staff and for public education and communication purposes. These can take the form of procedures, guidance documents, by-laws etc., and should consider the following:

- Who is responsible for the administration of the program?
- What mechanisms are in place to enable municipalities to require cross-connection control devices (e.g. by-laws)?
- How will this program be enforced?
- What are some of the enforcement actions that will be undertaken?

Survey of Facilities

You will need to undertake a survey of the facilities in your distribution system to identify those considered severe/high risk and moderate risk using the **Hazard Classification Framework** provided in Appendix A. Once identified, you should develop a plan to assess or have these facilities assessed for:

- Actual or potential cross-connection hazards.
- Type of hazards present at each building in order to determine the type of backflow preventer required.

Depending on the size of the distribution system and prevalence of severe/high and moderate risk facilities, the utility may want to prioritize the assessment of facilities based on risk category, size, age, financial and human resource availability. A timeline of the proposed approach should be provided to the Department for review. The assessment can be completed internally or externally as long as the person(s) undertaking the survey are qualified to do so.

Who can inspect, test and repair backflow prevention devices?

A backflow prevention device is only reliable when designed, installed, tested and maintained according to industry standards. A plumber or sprinkler fitter is required for installation. Only persons with valid CCC testers certification should inspect and test backflow prevention devices. The Atlantic Canada Water and Wastewater Association (ACWWA) regularly offers preparatory courses for the American Water Works Association (AWWA) Cross Connection Control testers examination. Certification is valid for five years at which time a re-certification course can be taken.

New Construction or Renovations

All applications for new construction and renovations affecting water services should be reviewed to ensure that cross connection hazards are properly identified and mitigated with the appropriate device. This information should be kept on record to track on-going maintenance of the devices.

Program Administration

Record Keeping

To ensure the goals of the program are being met, the following information should be kept in a data management system:

- Cross connection survey and hazard assessment results for each building.
- Inventory of backflow prevention measures and/or devices (type, size, make, model, serial number, location).
- Inspection and testing reports.
- Backflow incident reports.
- Consumer information (e.g. billing address, account and meter numbers, etc.).

There are several ways to manage this data, from basic spreadsheet software to commercially available packages for cross connection control data management.

To facilitate data management and ensure adequate information is provided during inspections, standardized forms should be created and made available to those undertaking testing.

This requirement should be clearly communicated in your program requirements and to the persons responsible for undertaking these inspections. Forms should be submitted to the utility to confirm devices are tested annually and are in good working order.

Public Education Plan

Successful implementation of your program will depend on how well you communicate the program requirements to your customers. Your public education plan should address the WHAT, WHO and HOW.

WHAT Message are you disseminating?

Think about what information you want to convey to the public about your program:

- Outline the public health risks associated with cross connections helps customers understand the importance of the program.
- Specific responsibilities of building owners to comply with the program requirements.
- Information to any guidance documents, policies or procedures created for the public.
- Regulatory requirements and authority to enforce the program requirements.

When should backflow prevention devices be tested?

- Upon installation
- When cleaned, repaired or overhauled
- When relocated
- Annually
- Following alterations to the water supply systems upstream of the device
- Following a backflow incident

WHO are you trying to educate?

Are you targeting severe/high and moderate-risk building owners?

Are you going to provide all customers with some level of information about the program?

Are you going to reach out to local suppliers, local trades people, etc.?

Once you've identified your stakeholder groups, you'll want to determine **HOW** you will inform them of the program. You may choose a different approach depending on your stakeholder group or you may wish to provide all customers in your service area with information about the program.

You may also want to consider developing standard correspondence letters that you will send to building owners' identified to be severe/high and moderate-risk during your distribution system survey to outline requirements and next steps.

Backflow Incident Response Procedure

As part of the CCC program or the utility's emergency response procedures, a backflow incident response procedure should be created to outline the actions that personnel will take in the event of a possible or suspected backflow incident.

Concluding Remarks

If you have any questions regarding submission requirements, please do not hesitate to contact your approval engineer.

Additional Resources

This guidance document was developed to help provide system owners' with an overview of program requirements with the understanding that each system's CCC plan and program will differ. The American Water Works Association has developed many resources to assist in developing detailed plans such as the "AWWA Canadian Cross-Connection Control Manual".

Appendix A: Hazard Classification Framework

Risk Classification	Definition	Example of Facilities
Severe/High	Any type of cross-connection or potential cross-connection involving water that has additives or substances that under any concentration can create a danger to health and is likely to result in serious injury or death.	Hospitals, operating, labs, mortuary facilities, plants using radioactive material, petroleum processing and storage facilities, chemical or plating plants, commercial laundries, sewage, automotive shops, dry cleaners, car washes plants, food and beverage processing plants, premises where access is restricted, dockside facilities for ships, premises with sprinkler systems with glycol loops.
Moderate	Any minor hazard connection that has a low probability of becoming a severe hazard.	Office buildings, multi-service interconnected facilities, schools, colleges, shopping malls, multi-tenant single service facilities, premises with sprinklers (no glycol), restaurants.
Minor	Any cross-connection or potential cross connection that constitutes only a nuisance and that results in a reduction in only aesthetic quality of water (color, odor, or taste with little to no health effects).	

Note: For complete list of facilities and their risk categorization, consult the most recent CSA B64.10.



Management Report

June 16, 2025



COUNCIL'S STRATEGIC INITIATIVES

#	STRATEGIC INITIATIVE	UPDATE
1	Community Centre & Fire Hall To build a new accessible and inclusive Community Centre & Fire Hall	<ul style="list-style-type: none">• Staff have explored three different grant programs to help fund the new Community Centre Fill Hall• The CCFHC instructed staff to explore a phased approach with JOST and the low bidder.• Received phased approach. Exploring funding options.
2	New Reservoir To build a new reservoir to serve the customers of the Middleton Water Utility	<ul style="list-style-type: none">• Two grant applications were submitted. One was through the DMAF program on July 19/23 and the Town was not successful. The second was through the provincial MCGP program on December 13/23, and the Town received \$3.1 million• A land swap was completed – the new reservoir will be constructed on Junction Road• UARB approved the project on Aug 2/24• Contract was publicly tendered and awarded to Roscoe Construction on Aug 6/24• Site preparation has begun• Construction of the pump house has begun• Reservoir tank is at the border - dealing with potential tariffs
3	Economic Development Initiatives To concentrate on economic development initiatives that support business park growth, brand awareness and small business	<ul style="list-style-type: none">• COMPLETE – the final plan document on the Business Park Expansion Study was received and presented to Council on Nov 21st
4	Public Safety To address public safety concerns in the downtown and public spaces	<ul style="list-style-type: none">• Concerns that are brought forward by Mayor and Council during COTW and Council meetings continue to be communicated to public works for investigation. Many of these concerns relate to safety of sidewalks, crosswalks, and roads.
5	Infrastructure Maintenance To develop an asset management plan focused on improving the maintenance of town infrastructure	<ul style="list-style-type: none">• Final Asset Management Report was received from AIM in 2020• Staff have completed 3/5 courses through AIM• The Asset Management Plan is being updated as the courses are taken, and the Working Group is meeting to review the updates that were made• A maintenance plan is in the process of being drafted and will be finalized after the AMP is complete

Management Report

June 16, 2025



OPERATIONAL PRIORITIES

#	STRATEGIC INITIATIVE	UPDATE
1	Boundary Review Prepare RFP and Award RFP	<ul style="list-style-type: none">• COMPLETE: the UARB have approved Council's request to maintain the Council size at 7, with 6 Councillors and 1 Mayor, all elected at large
2	Secondary Plan Finalize scope of work and award work to third party	<ul style="list-style-type: none">• Land swap has been executed with the developer• Developer submitted a request to amend the MPS/LUB via a Secondary Planning Strategy• Staff have applied to the Housing Accelerator Fund – this was unsuccessful, and no grant money was awarded• Jan 9/24 - Kick-off meeting• Feb 1/24 – Public Workshops• Feb 20/24 – presentation to Council• May 28/24 – draft final plan presented to staff• Jun 26/24 – draft final plan presented to Council and PAC• Jul 15/24 – draft final plan presented to landowners• Planner working with main landowner on implications for construction – deadline was given for feedback of Dec 13/24• Plan still needs to be approved by Council, and MPS/LUB amendments approved• Apr 15/25 – PAC held a public hearing on the secondary plan• Planner is working with main developer to understand issues with the draft Secondary Plan
3	Main Street/Taylor Drive Crosswalk Move crosswalk	<ul style="list-style-type: none">• COMPLETE: The Crosswalk Light has been installed, and the overhead light is now working.
4	Second Lake Agree on key points for partnership agreement with AEA Club	<ul style="list-style-type: none">• No further update - staff have met with the AEA Club to further build the draft of the new lease agreement

Management Report

June 16, 2025



OPERATIONAL UPDATES

ADMINISTRATION

Completed	In Progress	Issues
<p>Staffing:</p> <ul style="list-style-type: none"> Temp contractor is now working 3 days a week to continue helping the finance department with year-end Q2 Teambuilding Event at Rotary Park on Friday Jun 13 Performance reviews for new staff 	<p>Staffing:</p> <ul style="list-style-type: none"> Summer staff in recreation, public works and parks start in the next two weeks Supporting managers with HR related items Recruitment for summer positions (interviews, job contracts, etc.) Supporting Finance department on year-end procedures and budget prep 	<p>Staffing:</p>
<p>Project Work:</p> <ul style="list-style-type: none"> CAO Working Group has proposed 3 draft IMSAs including new funding formulas. The IMSA Board has recommended to each Council for approval. Joint Council meeting to take place on June 23rd at 7:00pm. Year 2 Check in meeting with Clean Foundation Awarded \$70,000 from FCM for a climate risk assessment 	<p>Project Work:</p> <ul style="list-style-type: none"> Options for Town Hall – received a draft report from Palmer and Doherty Communications Coordinator is working on new website with AMANS rep Communications Coordinator working on Communications Strategy for the Town Need to start Operating Plan 	<p>Project Work:</p>
<p>Other Items:</p> <ul style="list-style-type: none"> REMO positions have all been assigned – need to now ensure staff receive training Worked with County of Annapolis to update the contract for Animal Control, and the Town’s Dog Bylaw Met with ACOA on potential available grants 	<p>Other Items:</p> <ul style="list-style-type: none"> Management team reviewing priorities, policies, by-laws On July 10th at 6:00pm the intermunicipal IDEA Committee will host a community consultation and information gathering session at the Middleton Fire Hall to gain feedback to make their IDEA Plan 	<p>Other Items:</p> <ul style="list-style-type: none"> Affordability Study of keeping certain assets and services should be completed

Management Report

June 16, 2025



FINANCE

Completed	In Progress	Issues
<ul style="list-style-type: none">• UARB Public Hearing for approval of amendments to Schedules of Rates and Charges for Water Services took place on June 4, 2025.• January – March 2025 bank reconciliations are complete.• Reconciliation of all reserve bank accounts is complete.• Due to / due from reconciliations (interfund) are complete for fiscal year.• Executed the planned year-end cut-off procedures for accounts payable for March 31, 2025• Pension remittance for April 2025 and May 2025 has been prepared, reviewed, and paid.• Arrears letters for property taxes and the Water Utility were sent out the first week of June.• Q4 Council/Mayor/CAO expense reports are complete.• All miscellaneous billings and accruals for year ended March 31, 2025, are complete.• Provincial Rebate on Fuel Purchase (Gas Tax) is complete.	<ul style="list-style-type: none">• Responses to the Information Requests from the UARB for the School Street Waterline Project the Water Utility• Responses to the Undertaking List from the UARB for the 2025 Water Rate Application• Review of April 2025 bank reconciliations and journal entries• Processing work orders for the Water Utility ahead of the June 30 billing cycle.• Operating and Capital budgeting for 2025-26 fiscal year• The preparation for the year-end audit is underway. This includes specific year-end tasks for auditors, account reconciliations, allocations, accruals, etc.• Annual Information Return for the Town’s pension funds are in process (not due until June 30)	<ul style="list-style-type: none">• Finance staff are continuing to balance duties and responsibilities of their positions while working under time constraints to meet deadlines - a temporary part-time contracted individual has been hired to help at the front counter

Management Report

June 16, 2025



RECREATION & COMMUNITY DEVELOPMENT

Completed	In Progress	Issues
<ul style="list-style-type: none"> • New Life Jackets and 2 Carts have been purchased for the Canoe/Kayak Program through the AKHK Grant. • The Sea Crates are at Riverside Park for the Canoe/Kayak and Bike Loans. • Washrooms at Centennial and Rotary Parks are open and porta potties are now at Riverside and Wetland Parks • Teachers and EAs at Annapolis East Elementary School (AEES) received the Active Smarter Kids training through the Recreation Department. Ongoing support will be offered. • The last night for Open Gym at AEES was June 11th • The Shad Derby was a great success. Huge thanks to all partners, sponsors and participants. Over 118 fish were measured and the data collected by CARP was sent to the province. • The Recreation Department held an Accessibility Coloring Contest at AEES for the students during Accessibility Week. • Nova Scotia Walk Day was not well attended but it was a beautiful day to be out at the park. • The first Recreation Month event was the Bike Repair Workshop which had low attendance but was extremely informative. • The new Facility Use Agreement has been completed and is available online. 	<ul style="list-style-type: none"> • The situation with sharps in town is continuously monitored • Wetland Official Opening update – soft launch of the park planned for June 17th • The Town did not receive grant funding to replace the dock at Riverside Park. Staff are evaluating whether the dock can be installed safely this year. • The second round of fitness classes continue! • A new art installation will be painted at the Skate Park • In partnership with Annapolis County Recreation, the installation of a play box at Rotary Park is underway. • June is Recreation Month: A town wide treasure hunt will be on the last week of June. • Planning for the Canada Day Parade and children’s activities at Centennial Park is underway. • The Heart of the Valley Multi-Cultural Festival is on June 28th • Registration is open for the Heart Run (Aug 10th) and Century Ride (Aug 9th) • The one-year plan and Active Community Fund Grant have been submitted for 2025-2026 	<ul style="list-style-type: none"> • Vandalism still an ongoing issue • Dirt Bikes and ATVs in the parks (and on streets) is an ongoing issue – public works has installed signage at the parks saying “No ATVs” • New signage for the parks is needed as the old signage still has the old Town phone number on it. Staff are completing a signage inventory to update the information.

Management Report

June 16, 2025



PLANNING

Completed	In Progress	Issues
<ul style="list-style-type: none">• 1 Building Permits Issued• 6 Building Inspections Conducted• 4 Fire Inspections conducted, and letters sent• 2 Fire Inspections were closed this month	<ul style="list-style-type: none">• IF Holdings DA – application for a development on Commercial Street which will add one commercial unit and 6 residential units to an existing building was approved by Council on Jul 17/24 and no appeals were lodged• Revised agreements have been approved by Planner and solicitor and sent to our lawyer.• Applicant needs to sign affidavit, but now has questions.• Waiting on additional information from our Development Officer.	
<ul style="list-style-type: none">• An application was submitted for an LUB Text Amendment to enable a craft brewery in the Commercial Downtown (CD) Zone. The application was approved, and no appeals were received by the UARB. The applicant has applied for a permit. Applicant has paid their fee. Development Officer requires some additional information before issuing a permit.	<ul style="list-style-type: none">• The closing date for the Province’s Property Opportunity Notices was Mar 30/24• Staff are working on a proposal for the Development Agreement for a higher density multi-unit• Developer has submitted subdivision application which is being reviewed	
	<ul style="list-style-type: none">• The Secondary Plan that was finalized in the spring of 2024 was reviewed by the Planning Advisory Committee, who held a Public Hearing on the matter on Apr 15th• The feedback received at the public meeting will be included in the planning report that will be presented to the PAC in July	

Management Report

June 16, 2025



PUBLIC WORKS		
Completed	In Progress	Issues
<p><u>General Public Works:</u></p> <ul style="list-style-type: none"> Replaced Driveway Culverts 	<p><u>General Public Works:</u></p> <ul style="list-style-type: none"> Mowing and Trimming Mowing Green Spaces Topsoil from excavation 	<p><u>General Public Works:</u></p>
<p><u>Public Works Equipment:</u></p> <ul style="list-style-type: none"> Repaired Back Rack on F250 Painted Trailer 	<p><u>Public Works Equipment:</u></p> <ul style="list-style-type: none"> Painting 2-ton Box 	<p><u>Public Works Equipment:</u></p> <ul style="list-style-type: none"> Trackless has some hydraulic leaks and AC is starting to go - needs some work
<p><u>Roads, Streets, Sidewalks:</u></p> <ul style="list-style-type: none"> Repaired Storm Catch Basins Sweeping and Cleaning 	<p><u>Roads, Streets, Sidewalks:</u></p> <ul style="list-style-type: none"> Painting Lines Sweeping and cleaning streets to get prepped for paint Replacing catch basins along Main Street 	<p><u>Roads, Streets, Sidewalks:</u></p> <ul style="list-style-type: none"> More cold patching required
<p><u>Water & Equipment</u></p> <ul style="list-style-type: none"> Hooked up temp water at 438 Main St. 	<p><u>Water & Equipment</u></p> <ul style="list-style-type: none"> Water Tie in for new reservoir Water tie-in for new development at 438 Main St Replacing water meters Q1 testing due this month 	<p><u>Water & Equipment</u></p> <ul style="list-style-type: none"> Clean well 3 in 2025-2026
<p><u>Wastewater & Equipment</u></p> <ul style="list-style-type: none"> Cleaned UV lights Cleaned sewer on Commercial and Spring Garden 	<p><u>Wastewater & Equipment</u></p> <ul style="list-style-type: none"> Q1 report submitted to ECC 	<p><u>Wastewater & Equipment</u></p> <ul style="list-style-type: none"> Pump stopped working at Grit Chamber. Sent in for repair. Priced a new pump to replace it.

Management Report

June 16, 2025



FIRE DEPARTMENT

Completed	In Progress	Issues
<ul style="list-style-type: none">• Attended the Annapolis County working group meeting for the fire service• First weekend of vehicle extrication was completed• Members attended the monthly medical first responder training• Attended Police week in Bridgetown with a truck and crew for their annual display• Attended the Yearly Fire Service conference in Wolfville	<ul style="list-style-type: none">• Level 1 training still on going	

Incident Summary
From May 1 25 to May 31 25

Date/No.	Address/Type	Minutes	Responders		Injuries	Fatalities
			Full Time	Part Time		
May 4 25 25-03628	16:51:12 12827 Highway 1, BRICKTON Commercial Fire Alarm	27	0	0		
May 5 25 25-03642	10:50:38 6 Ross Ln, MIDDLETON Assistance to EHS	32	0	0		
May 5 25 25-03654	19:16:21 12730 Highway 1, BRICKTON Grass / brush	31	0	0		
May 8 25 25-03754	17:06:24 141 Sunset Cres, MIDDLETON Commercial Fire Alarm	4	0	0		
May 9 25 25-03779	15:05:55 Highway 101 Dm170, GATES MOUNTAIN MVA - Confirmed Entrapment / Unknown	23	0	0		
May 9 25 25-03793	23:52:40 20 Glen Ln, MIDDLETON Residential Fire Alarm	38	0	0		
May 12 25 25-03843	07:25:18 89 North St, MIDDLETON Commercial Fire Alarm	36	0	0		
May 13 25 25-03877	20:26:47 61 School St, MIDDLETON Fuel Spill - Gas	8	0	0		
May 23 25 25-04157	01:24:42 14035 Highway 1, WILMOT MVA - No Entrapment	6	0	0		
May 24 25 25-04207	22:38:23 12484 Highway 1, BRICKTON Lift assist	39	0	0		
May 29 25 25-04351	13:44:42 1036 Brooklyn Rd, BROOKLYN Fuel Spill - Diesel	63	0	0		
11 incidents for Middleton		5 hrs 7 mins	0	0		
		5 hrs 7 mins	0	0		

INTERIM INTERMUNICIPAL SERVICES AGREEMENT BOARD

“MEETING MINUTE” BASED ON BOARD MEETING HELD ON MAY 21, 2025

The May regular monthly meeting of the Interim Intermunicipal Services Agreement Board of Directors was held on May 21, 2025, beginning at 10:00 a.m., in keeping with the normal meeting schedule. The meeting was based in the Valley Waste-Resource Management Boardroom with a virtual attendance option.

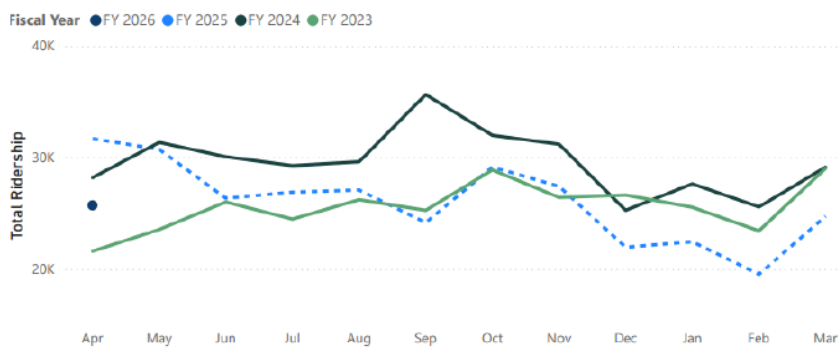
KINGS TRANSIT AUTHORITY

Activity levels at the Kings Transit Authority under the leadership of General Manager Hodges continue at a brisk pace. Key items of interest include:

- Challenges continue to be experienced with the bus tracking software with work underway to resolve issues.
- Full staffing levels are in place; however, active recruitment for drivers continues to ensure that an acceptable driver spare pool is in place.
- A review of routes and stops is in progress to identify immediate changes that could improve service reliability and schedule adherence.
- Staff continue to investigate future fleet requirements while considering all available technologies and future routing finalization. While more information will be brought before the Board as it becomes available, technologies under consideration include hybrid, electric, hydrogen and diesel fueled buses and the consideration of micro-transit with smaller buses in more urban areas. The overarching goal is to ensure that public funds are invested wisely to enhance efficiency and deliver effective services in the long term.

Multi-year View of KTA Ridership

Fiscal Year	Total Ridership
FY 2026	25,722
FY 2025	312,234
FY 2024	355,008
FY 2023	307,115
FY 2022	202,409
FY 2021	130,829
FY 2020	349,024
FY 2019	345,038
FY 2018	347,299
FY 2017	349,352
FY 2016	360,848
FY 2015	392,035
FY 2014	406,196
FY 2013	31,950
Total	3,915,059



Fuel:

Diesel Average Cost

Includes Taxes Expensed (not posted price)

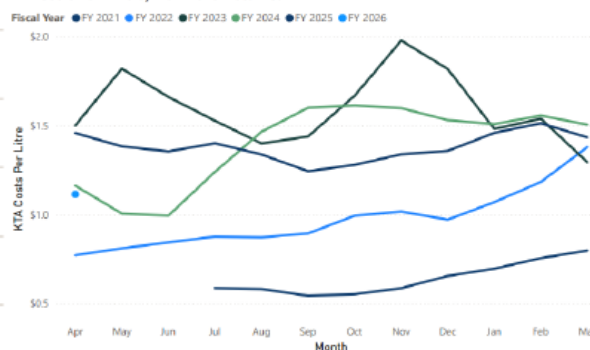
FY 2026	\$1.11
FY 2025	\$1.38
FY 2024	\$1.39
FY 2023	\$1.59
FY 2022	\$0.97
FY 2021	\$0.64

Total Diesel Cost

Includes Taxes Expensed

FY 2026	\$37,807
FY 2025	\$539,691
FY 2024	\$566,538
FY 2023	\$672,054
FY 2022	\$411,623
FY 2021	\$176,067

KTA Costs Per Litre by Month and Fiscal Year



MEETING MINUTE

Kings Transit Authority



VALLEY WASTE—RESOURCE MANAGEMENT

Under the leadership of General Manager, Andrew Garrett, the following items of interest are underway:

- **Circular Materials:** In response to the request by municipalities, Circular Materials has further considered and submitted a proposal to Divert NS to address concerns with small industrial, commercial and institutional (IC&I) curbside recycling. If approved, then a separate Statement of Work will be shared with participating municipalities for review.
- **Regional Chairs Committee:** Mayor Corkum has been selected to serve as Vice-Chair of the Regional Chairs Committee. Andrea Garrett was re-elected to serve as Secretary to the Committee. The Committee has requested a meeting with the Honourable Minister Halman, NSECC, to be scheduled with the Executive to discuss municipal concerns on sharps (needles), access to efficient recycling for small IC&I properties and litter.
- **Private Road Collection:** Staff have been attending public meetings with property owners in Annapolis County regarding transitioning to end-of-driveway service. Feedback has been mixed with some areas resisting the change and other areas looking forward to the removal of the bins. The project will continue throughout spring/summer with some areas receiving the new service in June.
- **Roscoe Construction** is finishing up the replacement of the hazardous waste facility at the East Management Centre and **Howard Little Excavating** will be finishing up the construction of the roadway widening at the East Management Centre soon.

2025-2026 CAPITAL PROJECTS UNDER WAY

- A purchase order for the acquisition of a new 924 wheel loader was issued to Toromont Cat through the CANOE Procurement Group.
- Pricing for the trailer-mounted generator is being pursued through CANOE.
- Pricing for a smaller 906 wheel loader is also underway through CANOE Procurement Group.
- Request for Proposal documents have been released for: Expansion of the construction and demolition debris yard at the East Management Centre, Hazardous Waste building at the West Management Centre, a shelter for the hazardous waste building at the West Management Centre and a warehouse at the West Management Centre.

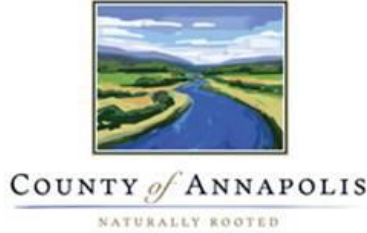
EDUCATION INITIATIVES



Staff have been busy with events and initiatives this spring including the Kentville Home Show, Compost Giveaways (2) and our popular Planet Protectors programming.

NEXT MEETING

The June regular monthly meeting of the Interim Intermunicipal Services Agreement Board will be held on **June 18, 2025** beginning at **10:00 a.m.** based in the Valley Waste Boardroom with the virtual attendance option, in keeping with the normal meeting schedule



**Annapolis County Inter-Municipal Working Group
Committee Meeting #19
Thursday, May 22, 2025, 6:30 pm
Council Chambers, Town of Middleton**

Present: Warden Diane Le Blanc, Municipality of the County of Annapolis
Deputy Warden Dustin Enslow, Municipality of the County of Annapolis
Mayor Gail Smith, Town of Middleton
Deputy Mayor Gary Marshall, Town of Middleton
Ashley Crocker, CAO, Town of Middleton
Deputy Mayor Sybil Skinner-Robertson, Town of Annapolis Royal
Sandi Millett-Campbell, CAO, Town of Annapolis Royal

Guest: Brian Orde, Annapolis REMO Coordinator

Regrets: Mayor Amery Boyer, Town of Annapolis Royal, Chairperson
Chris McNeill, CAO, Municipality of the County of Annapolis

1. WELCOME

Chairperson Deputy Mayor Dustin Enslow called to meeting to order at 6:31pm. and welcomed everyone to the meeting.

There were no additions to the agenda.

2. REVIEW AND ADOPTION OF MINUTES OF April 24, 2025

Approved by unanimous consent.

3. PRESENTATION BY SUBJECT MATTER EXPERTS: Regional Emergency Management

a. Annapolis REMO – Brian Orde

Mr. Orde gave a brief overview of the Intermunicipal Emergency Services Agreement. There is no expiration date to the agreement, but changes to the Emergency Management Act may require some changes to the agreement. One change being discussed is that each REMO have a Director and Alternate (not just a coordinator, which Mr. Orde is now).

Mr. Orde gave an overview of changes that are coming down through the Department of Emergency Management. One change is that municipalities need to be in a regional emergency management structure, which the three municipal units (Town of Middleton, Town of Annapolis Royal, and County of Annapolis) already are.

A discussion was held on the Nova Scotia Guard, which is part of the Department of Emergency Management at the provincial level. Mr. Orde indicated that those resources can be tapped into, if ever needed. Their mandate is to supplement ground search and rescue groups, not to replace them. CAO Millett-Campbell asked if we could find out if all the volunteers for the Nova Scotia Guard are in Halifax, or if there are some volunteers in the Annapolis Valley area.

Mr. Orde discussed other Memorandum of Understanding's (MOU's) that are progress to assist with emergency management – with Kings, Lunenburg, the school board (for transportation), Valley Waste, etc.

CAO Millett-Campbell asked the status of the TMR2 radios – when will the municipal units receive them? Mr. Orde indicated that he has them in his office, but the batteries have an issue. He will distribute and provide training to who will be responsible for them in each municipal unit.

4. QUESTIONS FROM WORKING GROUP MEMBERS

Questions were dealt with during the presentation.

5. DISCUSSION OF SUBSTANTIAL INFORMATION LEARNED AND OPPORTUNITIES FOR INTER-MUNICIPAL COOPERATION

Working group members noted that the three municipal units are already collaborating on emergency management, as evidenced by the Regional Emergency Management Organization that was created by all three units.

6. REVIEW OF PROCUREMENT SERVICES DISCUSSIONS AND FOLLOW-UP WORK BY STAFF

CAO Crocker stated that at the last meeting, it was noted that there might be an opportunity for the three units to fund a dedicated person for the procurement process in the future. As of today, the three municipal units have not had an opportunity to discuss this.

Warden Le Blanc asked if this item could be brought forward to the next agenda, so the potential collaboration potential is not lost.

7. LETTER TO MINISTER OF PUBLIC WORKS RE: CAUSEWAY

CAO Millett-Campbell noted that this was brought forward because the "Causeway Engineering Assessment Report" was supposed to be completed by the end of March 2025, and the province indicated that the report would be shared with the municipal units. No report has been received to date.

CAO Crocker read the draft letter aloud. One change was made to the date. The group agreed to send the letter. The letter was printed and signed by Mayor Smith and Warden Le Blanc at the meeting. CAO Millett-Campbell took the letter to be signed by Mayor Boyer and then sent off to Minister Tilley.

8. COMMUNITY CLIMATE CAPACITY EXTENSION

CAO Millett-Campbell explained that the program has been extended for one year. This group applied for funding and received a grant to have the Clean Foundation work on a Joint Climate Change Action Plan for Annapolis County. CAO Millett-Campbell wanted clarity from the working group that we want to apply for the year extension.

Deputy Mayor Skinner-Robertson moved to apply for the extension for the Community Climate Capacity program. Mayor Smith seconded the motion.

Motion carried.

Deputy Mayor Enslow asked if there was an extension on the grant that we received to hire the Economic Development Coordinator. CAO Millett-Campbell indicated that the program no longer exists, but that we did apply for a 3-year grant to support Economic Development, which we expect to hear back on by the end of May.

9. POTENTIAL LETTER TO NSFM RE: SUSTAINABLE SUPPORT FOR LIBRARIES

CAO Crocker indicated that a Councillor brought forward a concern to Middleton's May 5, 2025 Committee of the Whole meeting: "The issue of adequate and sustainable funding for public libraries in Nova Scotia be should brought forward to the Nova Scotia Federation of Municipalities Board for consideration as an advocacy priority."

CAO Crocker explained that the Councillor wanted to show support for the libraries.

Deputy Mayor Skinner-Robertson stated that at the spring NSFM conference, the NSFM outlined a new process where municipal units could make motions that would be sent to the NSFM as an advocacy priority. Annapolis Royal has already made a motion of Town Council in support of the libraries.

The working group discussed whether it would be better for each Council to make the motion separately and send them to NSFM, or if the working group should send a letter of support to NSFM. The correspondence from NSFM was reviewed and it was determined that NSFM's new process specifically states that MOTIONS of Council must be sent to them.

The working group wants to speak with the four head librarians (Middleton, Bridgetown, Lawrencetown and Annapolis Royal) and the AVRL CEO before sending any motions and letters to NSFM. Some specific questions would have to be prepared in advance. The three CAO's will come up with some questions and circulate to the working group for consensus before the next meeting.

10. DISCUSSION OF NEXT SPEAKERS AND QUESTIONS OR ISSUES THAT THE COMMITTEE WOULD LIKE TO SEE BE ADDRESSED TO SPEAKER'S BEFOREHAND

The next meeting topic according to the workplan is Review of all Current Agreements and Legal Services. The working group discussed moving the Library Services meeting to the June 26, 2025 meeting.

11. NEXT MEETINGS

The next regularly scheduled meeting is:

Thursday, June 26, 2025, Town of Annapolis Royal

Topic: Library Services

July 24, 2025 – Legal Services

September 25, 2025 – Review of all Current Agreements

October 30, 2025 – Recreation Status Facility Update

12. ADJOURNMENT

There being no further business, the meeting adjourned at 8:15pm.

Adopted by Working Group:

Date

Chairperson



MAYORS REPORT

June 2025

Over the past few weeks, I've had the pleasure of attending several meaningful events and engaging with residents and community groups, all of which continue to highlight the strength, diversity, and shared history of our town.

On May 26th, I joined community members, advocates, and local leaders at the Accessibility Flag Raising. This event served as a powerful reminder of the importance of continuing to build an inclusive and accessible community for everyone. It was inspiring to stand alongside those who work tirelessly to remove barriers and promote equity in public spaces, services, and attitudes.

On June 2nd, I was honored to attend the Pride Flag Raising, which marked the beginning of Pride Month. It was an uplifting event that celebrated the LGBTQ2S+ community and reaffirmed our commitment to diversity, inclusion, and the right for everyone to feel safe and proud of who they are in our municipality.

On June 4th, I participated in a Water Rate Study session. These discussions are essential for ensuring that our water infrastructure remains sustainable, efficient, and affordable for residents. We are looking carefully at how to balance future infrastructure needs with fair and transparent rate structures. I want to thank staff and consultants for their diligent work on this important matter.

I had the opportunity to visit the Railroad Museum on June 7th, where I learned more about the rich railway history that helped shape our community. The museum not only preserves this history but also offers an engaging experience for families, students, and history enthusiasts alike. I encourage residents to visit and support this local gem.

On June 8th, I attended the Old Trinity Graveside Service, a solemn and respectful occasion to remember and honor the lives of those who came before us. Preserving and recognizing our local heritage is a vital part of maintaining our community's identity, and I commend the organizers for their efforts in making this annual service meaningful and dignified.

In addition to these events, I recently spoke with a resident about concerns regarding the street sweeper schedule and effectiveness. We're reviewing the feedback to ensure our public works services continue to meet the needs of our neighborhoods. I appreciate residents taking the time to bring forward their observations and suggestions.

Finally, I was pleased to recognize a major milestone for one of our long-standing community organizations: the Rotary Club's 70th Anniversary. The Rotary has played a key role in supporting



local initiatives and charities over the decades, and their continued commitment to service above self is truly commendable. Congratulations and thank you for your enduring contributions.

As always, I remain available to speak with residents and welcome your input on how we can continue building a stronger, more inclusive, and responsive community.