Cape Breton Regional Municipality

Committee of the Whole Agenda

Tuesday, January 13, 2026
2:00 p.m.

Council Chambers
Second Floor, City Hall
320 Esplanade, Sydney, Nova Scotia

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Land Acknowledgement

Roll Call

1. **Approval of Agenda:** (Motion required)

2. **Presentations**

   2.1 **Community Transportation Solutions: A More Connected, Inclusive, And Mobile CBRM**: Lynne McCarron, Executive Director and CEO, United Way Cape Breton (See page _4_)

   2.2 **PVSC 2026 Assessment Roll**: Adam Hanna, Assistant Director, Operations; Laura MacLean, Assistant Director, Operations; Steve Howley, Assistant Director, Operations, Property Valuation Services Corporation (See page _18_)

3. **Corporate Services Issues**

   3.1 **Appointment of Special Constables and Assignment of Duties:** Tyson Simms, Director of Planning and Development (See page _36_)

   3.2 **City Hall Emergency Coordination Centre Update**: Bruce MacDonald, Manager of Emergency Management
   Verbal Update

   3.3 **Property Transfer to CBRM – Portion of PID 15887177, Simpson Lane, Glace Bay, NS:** Robert Nearing, Manager Public Works East (See page _39_)

4. **Council Agenda Requests**

   4.1 **Community Litter Update:** Councillor Steven MacNeil (See page _42_)

Adjournment

COMMUNITY TRANSPORTATION SOLUTIONS

A MORE CONNECTED, INCLUSIVE, AND MOBILE CBRM

United Way
Cape Breton

KEY FACTS FROM CTSA BUSINESS PLAN

- 62,734 residents live outside the Sydney core—large geographic spread with no transportation options.
- Only 59% of residents live within Transit Cape Breton's service area—the lowest among comparable municipalities (avg. 96.2%).
- Child poverty rate in CBRM: 32.4%, among the highest in Nova Scotia.
- Public transit usage: only 1.9%—half the provincial rate.

People without cars rely on:

- friends/family (88%),
- taxis (unaffordable),
- walking long distances,
- or simply not going to medical appointments, work, school, groceries.

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DIRECT COMMUNITY INPUT

- Seniors report isolation, missed medical appointments.
- Students cannot rent in rural communities because they cannot reach campus or work.
- Job seekers and employees lose shifts or cannot accept jobs.
- Families cannot access groceries, pharmacies, hospitals.
- Emergency services (EHS) and Handi-Trans are overwhelmed with non-emergency transportation needs.

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Cape Breton

WHY MUNICIPAL LEADERSHIP IS ESSENTIAL

- Transportation is an economic driver and equity issue.
- CBRM’s current structure collects transit tax only from households within 2,500 feet of a bus route, creating inequity and barriers to service expansion.
- Without a municipal partner, CTSA cannot unlock the full potential of CTAP/ATAP funding or build long-term service sustainability.
- Community transportation services in NS operate successfully only when municipalities contribute operational support.
- Opportunity: Modernizing the transit tax model ensures everyone contributes fairly and everyone receives access.

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HOW IT WORKS

Based on 8 years of pilots and consultations, CTSA will deliver:

- Door-to-door, pre-booked, shared transportation across rural CBRM.

Service for:

- workers
- seniors
- students
- medical patients (including dialysis)
- people living on low incomes

Affordable rates (e.g., $10 + $1/km) significantly lower than taxis.

A scalable fleet (2 → 6 vehicles) by Year 3.

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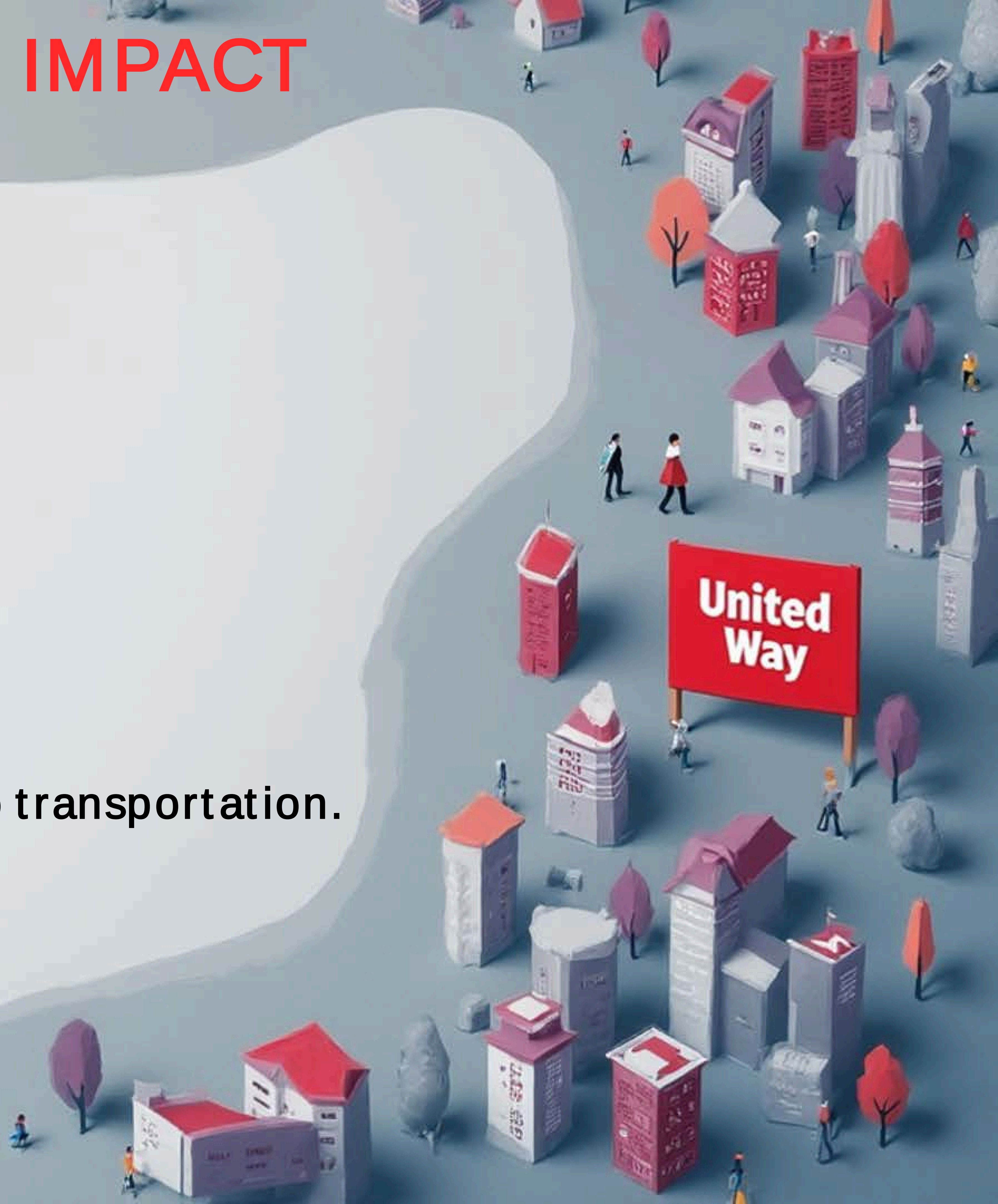
WHY IT WORKS

- Proven successful in Lunenburg, Pictou, Antigonish, and Strait regions.
- On-demand shared rides reduce costs and increase efficiency.
- Pilots in CBRM have shown:
  - increased employment,
  - reduced stress and isolation,
  - improved access to education and health care,
  - financial stability for users.
- Municipal partners see reduced strain on public transit and emergency services

QUANTIFIED IMPACT

From prior pilots:

- 81% took more work shifts.
- 57% saved more money.
- 48% accessed healthier food.
- 14% accessed more consistent medical care.
- Many avoided homelessness or job loss due to transportation.



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FINANCIAL MODEL OVERVIEW

Funding mix includes:

- Provincial CTAP (≈$300,000/year)
- ATAP capital support
- Rider fares
- Sponsorships
- Municipal contributions

Municipal support is critical to:

- Meet service demand
- Stabilize long-term operations
- Ensure equity across CBRM

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CASE FOR TRANSIT TAX REFORM

Current challenge:

- Only households within 2,500 feet of a bus route pay the transit tax.
- This prevents service expansion to the people who need it most.
- Rural residents—who lack transit—also lack any mechanism for funding solutions.

Recommendation: A modernized transit tax model that:

- Ensures all residents contribute to a public good they may one day rely on.
- Enables CTSA and Transit Cape Breton to cooperatively cover the entire municipality.
- Treats transportation as an essential service—like roads, waste management, or policing.

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WHAT CTSA NEEDS FROM CBRM

Dedicated annual municipal contribution

- Predictable operational support (modest compared to peers).
- Enables full-service launch and expansion.

A commitment to exploring transit tax reform

- Establish an equitable, municipality-wide model.
- Align with best practices across Nova Scotia.

Formal partnership with Transit Cape Breton

- Integrated planning.
- Shared responsibilities.
- A unified regional transportation strategy.

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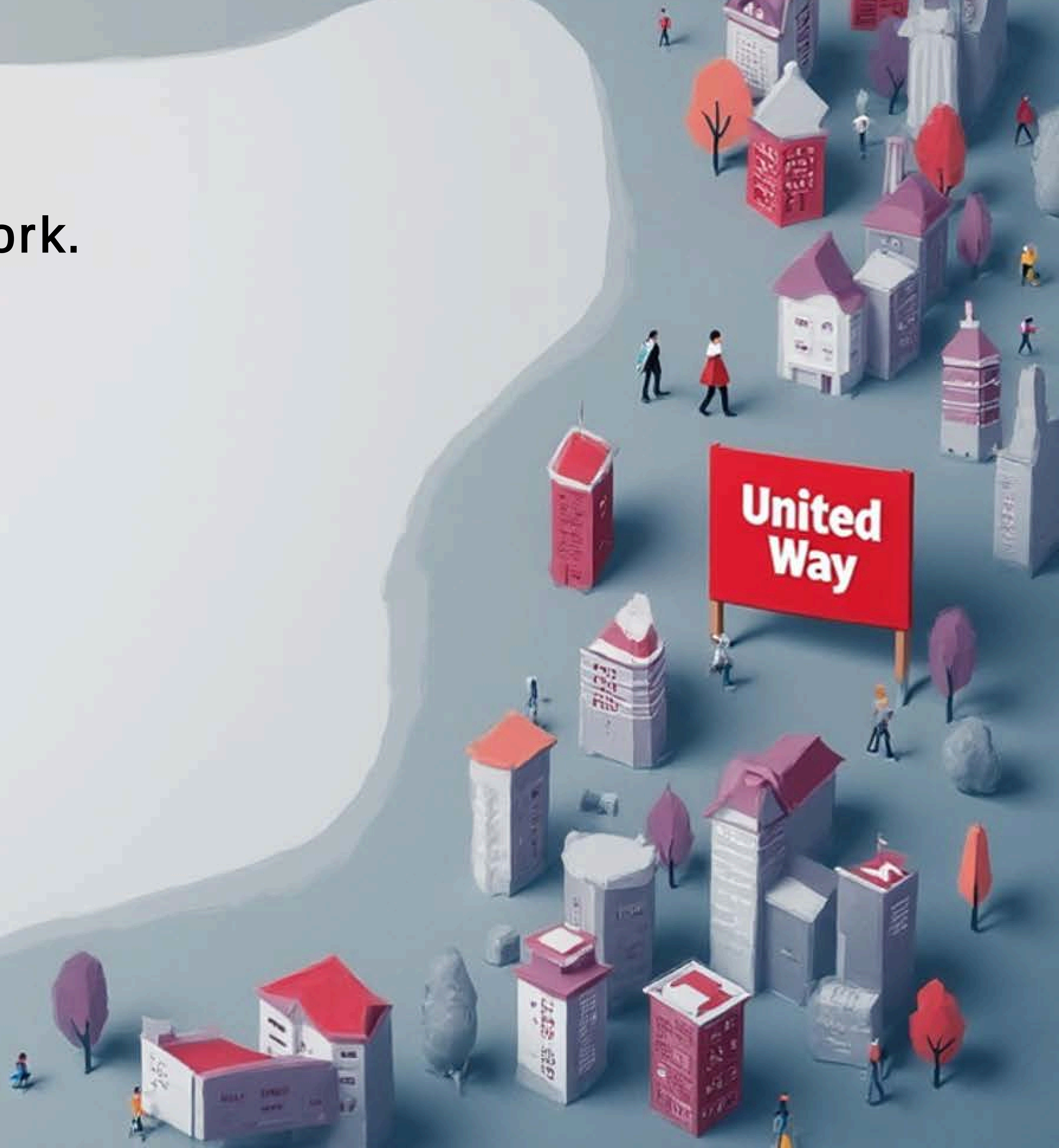
WHAT CBRM GAINS

- Reduced pressure on Handi-Trans and EHS.
- Economic inclusion: more people able to work.
- Improved health outcomes.
- Stronger communities, reduced isolation.
- More efficient public transit system.
- Growth in housing options, especially for students.
- A safer, more equitable municipality.



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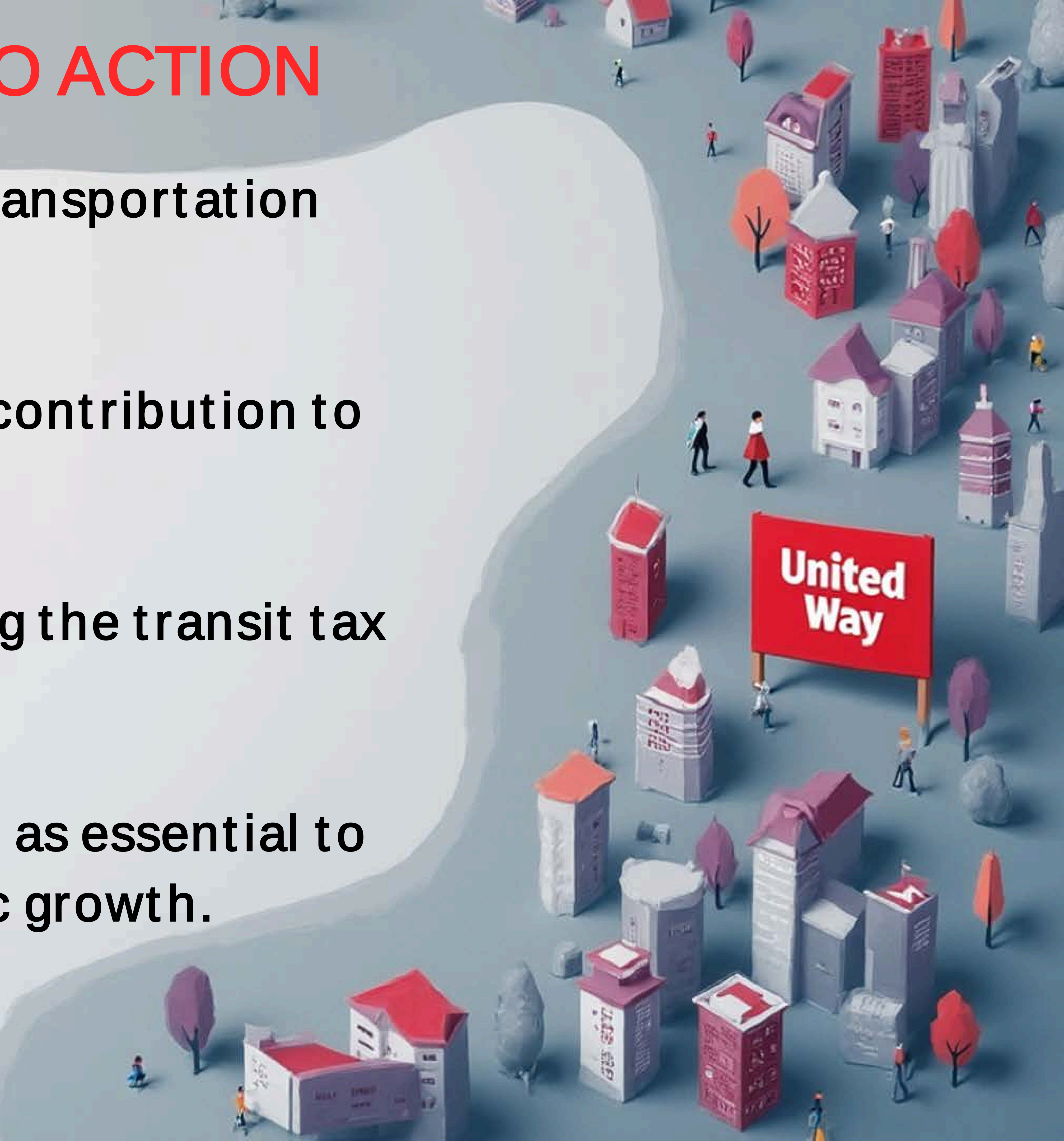
A VISION FOR CBRM

"A Cape Breton where everyone has access to the transportation they need—regardless of income, location, age, or mobility."

United Way Cape Breton

CALL TO ACTION

- Support CTSA as CBRM's rural transportation provider.
- Commit to an annual municipal contribution to sustain the service.
- Begin the process of modernizing the transit tax structure.
- Champion transportation equity as essential to poverty reduction and economic growth.



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QUESTIONS AND DISCUSSION

United Way
Cape Breton

PVSC 2026 ASSESSMENT ROLL

CAPE BRETON REGIONAL MUNICIPALITY

January 13, 2026

ABOUT PVSC

Created under the *Property Valuation Service Corporation Act* and responsible for assessing all property in Nova Scotia as per the *Nova Scotia Assessment Act.*

Delivers an Assessment Roll to all 49 municipalities and over 650,000 Assessment Notices to property owners in Nova Scotia each year.

Municipally funded, not-for-profit. Governed by a Board of Directors.

Approximately 135 employees working in 60 communities across Nova Scotia.

WHAT WE DO & DON'T DO

PVSC does:

- Deliver an Assessment Roll to all 49 NS municipalities.
- Deliver ~650,000 Assessment Notices to NS property owners.
- Administer the Capped Assessment Program (CAP) and Seasonal Tourist Business Designation program on behalf of the provincial government.

PVSC does NOT:

- Have the authority to:
  - Determine land ownership
  - Set tax rates
  - Collect taxes
  - Create tax policy
  - Provide tax relief

MARKET VALUE

The *Nova Scotia Assessment Act* requires that we assess property at **market value**:

*"… the amount which in the opinion of the assessor would be paid if it **were sold on a date prescribed by the Director** in the open market by a willing seller to a willing buyer"*

AND

*"The assessment shown on the roll shall be the assessment that **reflects the state of the property as it existed on the first day of December** immediately preceding the filing of the roll"*

2026 Base Date:
January 1, 2025

2026 State Date:
December 1, 2025

MASS APPRAISAL

- PVSC uses mass appraisal to determine the value of all real property in Nova Scotia each year.
- Mass appraisal is the process of valuing a group of properties as of a given date using common data, standardized methods and statistical testing.
- Property assessments are based on market evidence (sales and financial data). **We do not set the market – we reflect it.**
  - 2026 assessments are based on sales and market evidence from 2024.
- PVSC measures market value assessment accuracy, uniformity, and fairness against the *Assessment Act* and the internationally accepted standards of the International Association of Assessing Officers (IAAO).

THREE APPROACHES TO DETERMINING VALUE

Sales Comparison

Analyze sales of comparable properties to determine value and adjust for local market conditions.

Income

Determine the income a property can earn (after expenses) and convert net operating income to market value.

Cost

Calculate land value and current cost to replace buildings, then deduct for depreciation.

SALES DATA

- PVSC receives property sale information from the NS Land Registry.
- Sales are reviewed to determine if they meet the criteria of an arms-length sale between a willing buyer and willing seller (per section 42 of the *Act*).
  - Contact the seller and buyer
  - Review real estate listings to verify and update property data
- Sales that meet the criteria are used in our analysis.
- By analyzing how the market transacts in different areas we can determine homogeneous market areas.
  - Some market areas might be large such as in a rural area, while others might be a neighbourhood or a street in a city or town.
- In areas that have few or no sales, we expand analysis to include sales from similar areas nearby or use an industry best practice called time trending, which effectively measures the influence of time on sale prices and trends them to a specific point in time (the base date).

THE CAPPED ASSESSMENT PROGRAM

- In 2005, the Provincial Government introduced the Capped Assessment Program, which places a ‘cap’ on the amount that the taxable assessment for eligible residential property can increase year over year.
- The CAP is based on the Nova Scotia Consumer Price Index (CPI) in October.

2026 CAP Rate = 2.6%

2026 PROPERTY ASSESSMENT
Charlene MacNeil, Director of Assessment

Classification	Assessed Value	*Capped Assessment	Acres (where applicable)	Taxable Assessed Value
RESIDENTIAL TAXABLE	$226,800	$114,500		$114,500
	Assessed “market” value reflects the market and state of property	Capped assessment reflects the NS CPI in October		Taxable assessed value is what is used to determine property taxes
2026 TOTAL	**$226,800**			**$114,500**

Historic CAP Rates

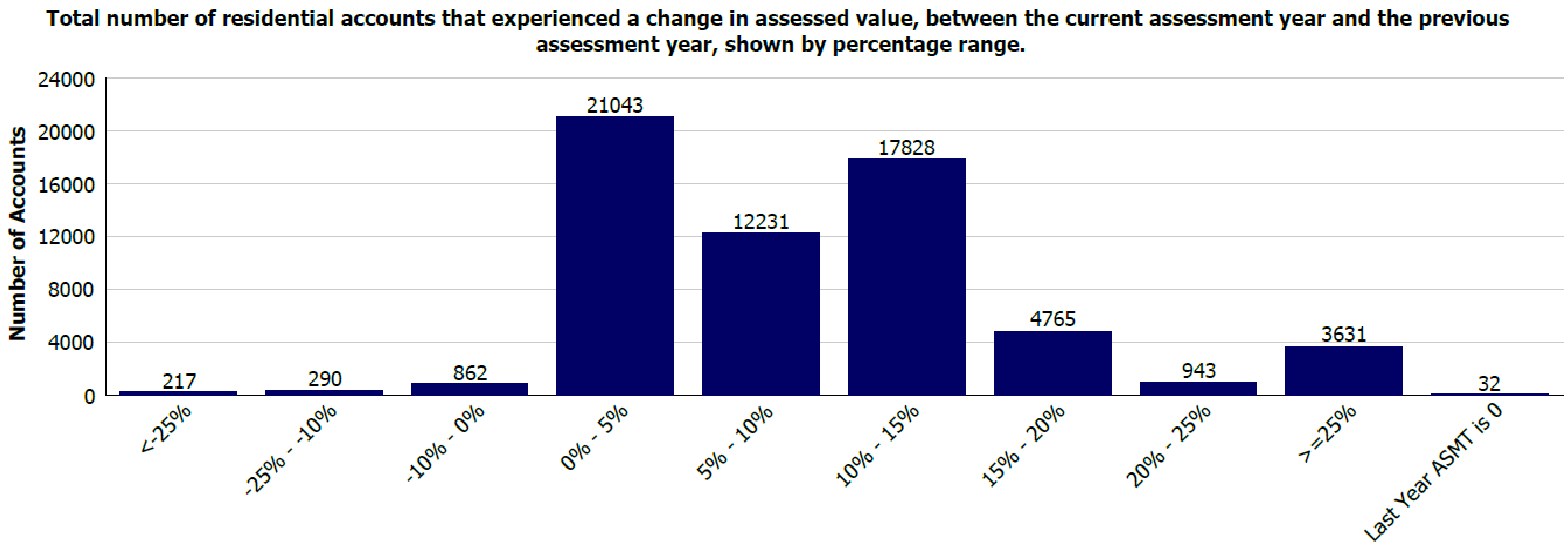
2025:	1.5%
2024:	3.2%
2023:	7.7%
2022:	5.4%
2021:	0.3%

CBRM: 2026 ASSESSMENT ROLL

	2026	2025	2024	2023	2022
Total Assessment Roll	**$11,978,049,700**	$10,701,286,400	$9,620,587,800	$7,957,251,600	$7,289,666,700
Total Residential	**$9,694,252,000**	$8,678,314,600	$7,634,213,600	$6,296,144,900	$5,704,358,000
Adjusted Total Residential with CAP Applied	**$6,395,204,600**	$5,946,414,600	$5,627,412,300	$5,197,560,600	$4,754,122,500
Total Commercial	**$2,283,797,700**	$2,022,971,800	$1,986,374,200	$1,661,106,700	$1,585,308,700

Note: figures include taxable and exempt classifications.

CBRM: RESIDENTIAL CHANGE RANGE

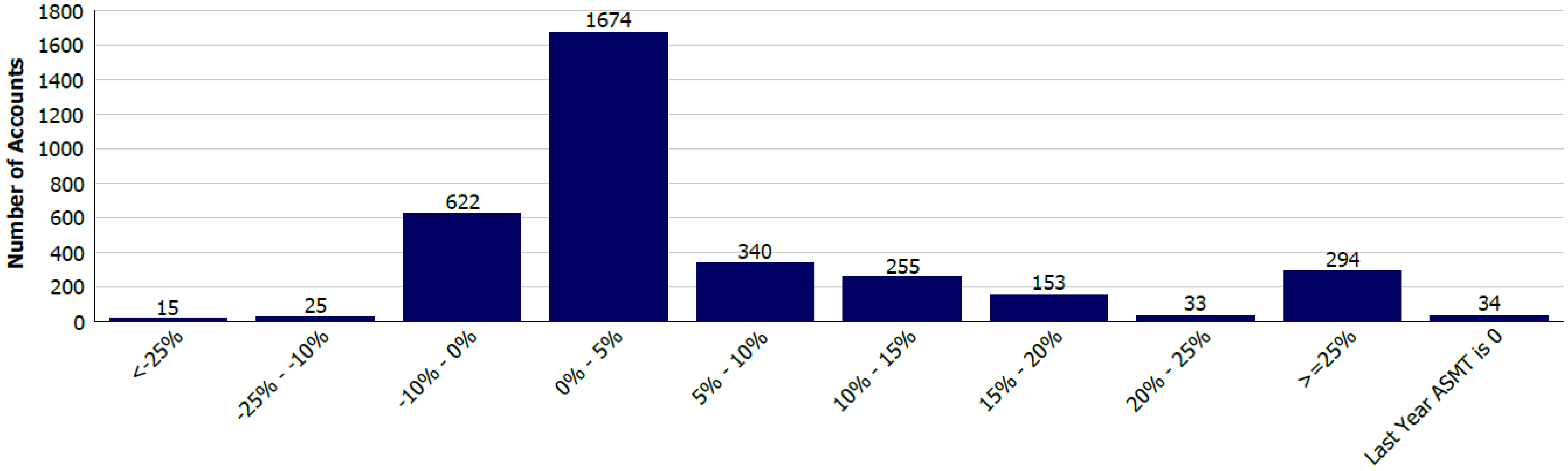


CBRM: RESIDENTIAL MARKET INDICATORS

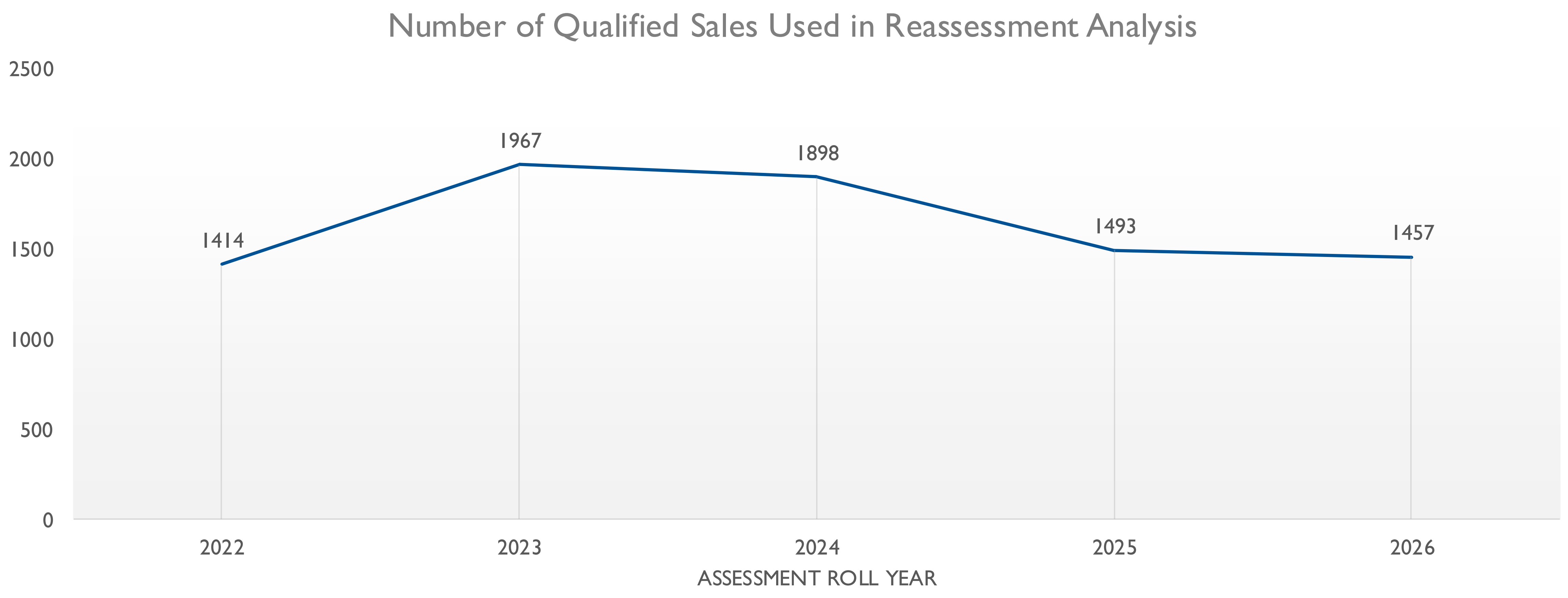
Year	Total Residential Dwelling Units
2026	48,802
2025	48,372
Total New Dwelling Units	430

CBRM: COMMERCIAL CHANGE RANGE

Total number of commercial accounts that experienced a change in assessed value, between the current assessment year and the previous assessment year, shown by percentage range.

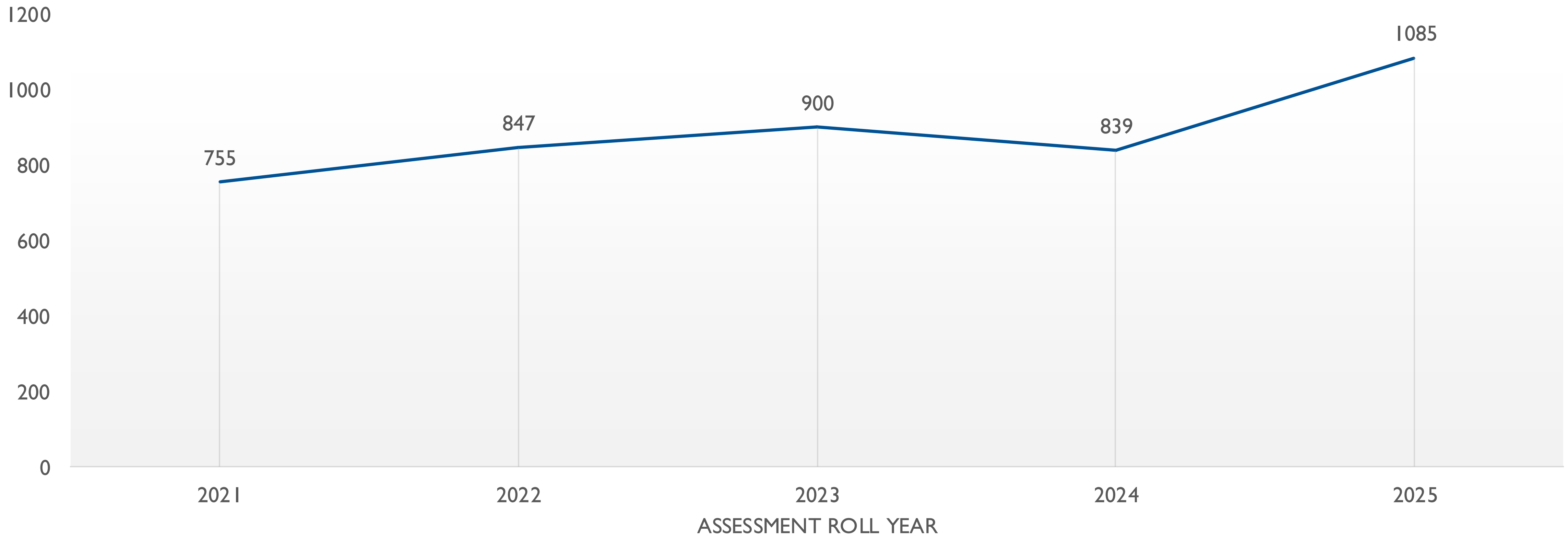


CBRM: QUALIFIED SALES

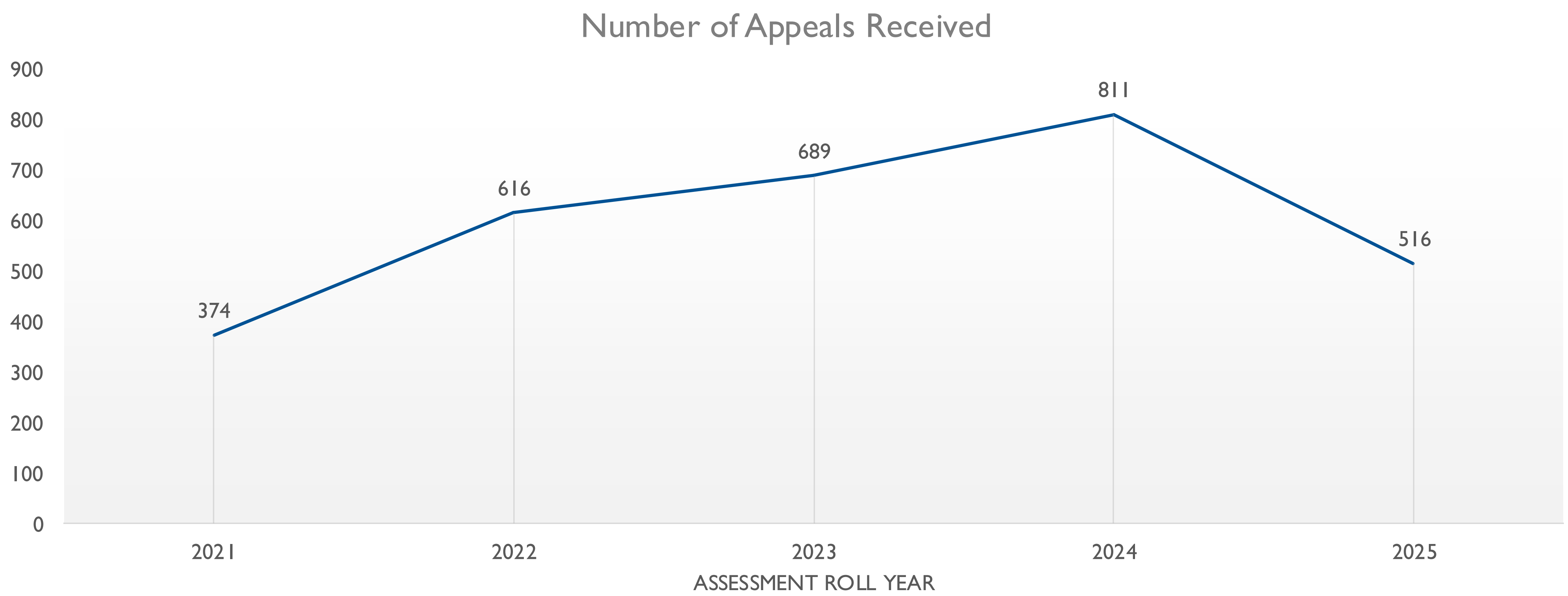


CBRM: PERMITS

Number of Permits Received



CBRM: APPEALS



THE APPEAL PROCESS

- Each property owner receives a notice of assessment which indicates an assessed value for their property.

2026 PROPERTY ASSESSMENT *Charlene MacNeil, Director of Assessment*				
Classification	Assessed Value	*Capped Assessment	Acres (where applicable)	Taxable Assessed Value
RESIDENTIAL TAXABLE	$226,800	$114,500		$114,500

- Should a property owner disagree with their assessed value they may file an appeal:
  - 2026 assessment appeals **must be received by February 12, 2026.**
  - Instructions on how to file an appeal are included on the assessment notice.

- There are three levels of appeal:
  - PVSC initial assessor review
  - Nova Scotia Assessment Appeal Tribunal (NSAAT)
  - Nova Scotia Regulatory and Appeals Board (NSRAB)

CONTACT INFORMATION

- Many property owner questions and concerns can be addressed and resolved by **calling PVSC before appealing**.
- **Our knowledgeable and expert staff are ready to assist.**
- If you receive questions from constituents about property assessment, please direct them to **call or email our Contact Centre.**

During the 2025 appeal period, **PVSC responded to over 10,000 inquiries** by phone and email.

The **average wait time** before speaking with a PVSC staff person was **16 seconds.**

1-800-380-7775

inquiry@pvsc.ca

pvsc.ca

THANK YOU

Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

STAFF REPORT

TO: CBRM Committee of the Whole

SUBMITTED BY: Demetri Kachafanas, CAO

DATE: January 6, 2026

SUBJECT: **Appointment of Special Constables and Assignment of Duties**

ORIGIN

Staff initiated.

RECOMMENDATION

It is recommended that Committee of the Whole recommend that CBRM Council:

1. Appoint Troy Bake and Shannen Kinnon as Special Constables, in accordance with their required duties as Property Maintenance Officers, to enforce and administer Part XV of the Municipal Government Act, respecting Dangerous or Unsightly Premises, all by-laws of the Cape Breton Regional Municipality, and Sections 138 to 160 of the Nova Scotia Motor Vehicle Act;

2. Appoint Ronald Mullin as a Special Constable, in accordance with their required duties as a By-law Enforcement Officer, to enforce and administer all by-laws of the Cape Breton Regional Municipality and Sections 138 to 160 of the Nova Scotia Motor Vehicle Act; and

3. Amend the existing Special Constable appointment for Scott Parker, in accordance with their required duties as Supervisor of By-Law Enforcement, to enforce and administer Part XV of the Municipal Government Act, respecting Dangerous or Unsightly Premises, all by-laws of the Cape Breton Regional Municipality, and Sections 138 to 160 of the Nova Scotia Motor Vehicle Act.

BACKGROUND

In accordance with the appointment process, the Nova Scotia Department of Justice (DOJ) requires municipalities to clearly identify the specific by-laws and legislation to be enforced by staff appointed as special constables. The applicable by-laws and legislation vary depending on the duties and responsibilities associated with each position.

This report identifies both new and existing staff within the Planning and Development Department who require appointment to, or amendments of, their special constable status. Subject to Council approval, the required information for each position will be submitted to the DOJ as part of the appointment process.

DISCUSSION

In accordance with Section 89 of the Nova Scotia Police Act, Council may, with the approval of the Minister or a person designated by the Minister, appoint one or more by-law enforcement officers who have the authority of a peace officer, limited to the enforcement of municipal by-laws and applicable legislation.

Planning and Development recently hired several full-time staff as part of the Building Inspections and By-law Enforcement Divisions of the department. Within the Building Inspections Division, two full time property maintenance officers were hired. Troy Baker, an internal CBRM employee who recently served as a By-law Enforcement Officer and Shannen Kinnon who arrives as a new employee with previous experience with the Nova Scotia SPCA.

The role of Property Maintenance Inspector includes conducting inspections of properties to assess compliance with applicable legislation and municipal by-laws. These duties also require staff to be appointed and serve as special constables.

Within the By-law Enforcement Division, Ronald Mullin was the successful candidate for the By-law Enforcement Officer position. This role is responsible for the administration and enforcement of several Cape Breton Regional Municipality by-laws, as well as applicable sections of the Motor Vehicle Act related to parking.

In August 2024, the Department also hired Scott Parker as By-law Enforcement Supervisor. Reporting to the Manager of Building Inspection and By-law Services, the Supervisor provides leadership to the by-law enforcement team. Responsibilities include overseeing enforcement activities, intervening in enforcement actions when required, and managing staff deployment and scheduling to meet operational needs. Staff are requesting that Scott Parker’s special constable appointment be amended to include enforcement of Part XV of the Municipal Government Act, respecting Dangerous or Unsightly Premises.

FINANCIAL IMPLICATIONS

There are no budget implications. Staff time required to complete this report and all staff positions identified as requiring appointments as special constables have been allocated under the approved 2024/2025 budget for Planning and Development.

LEGISLATIVE AUTHORITY

Section 89 of the Nova Scotia Police Act.

ALTERNATIVES

The Committee of the Whole may recommend that CBRM Council not appoint the employees identified in this report as special constables or not approve amendments to their existing appointments. This option is not recommended, as appointment as a special constable is required for staff to fulfill the core duties associated with the positions of Property Maintenance Officer, By-law Enforcement Officer, and Supervisor of By-law Enforcement.

A copy of this report can be obtained online at www.cbrm.ns.ca or by contacting the Office of the Municipal Clerk at 902-563-5010.

Report Prepared by: Tyson Simms, Director of Planning and Development, 902.574.1936

CBRM A Community of Communities

TO: Mayor Clarke and CBRM Committee of the Whole

SUBMITTED BY: Robert Nearing, Manager of Public Works East

DATE: January 13, 2026

SUBJECT: **Property Transfer to CBRM – Portion of PID 15887177, Simpson Lane, Glace Bay, NS**

BACKGROUND

In July 2025, Mr. Ryan Yates contacted CBRM Public Works East proposing a property transfer at no cost to CBRM. Property transfer involves a section of PID 15887177, which is currently owned by Mr. Ryan Yates. This property transfer would allow for a cul-de-sac to be installed at the end of Simpson Lane in Glace Bay, providing access for future road maintenance.

OVERVIEW

Mr. Rory Roach – Nova Scotia Land Surveyor (working on behalf of Mr. Ryan Yates) provided a plan of subdivision, which is included in Appendix A. The proposed property transfer to CBRM would involve LOT 2025-R1.

The remaining portion of PID 15887177 will be retained by Mr. Ryan Yates.

Public Works East Division requires a motion of Council to start the process of transferring this property

…/2

RECOMMENDATION

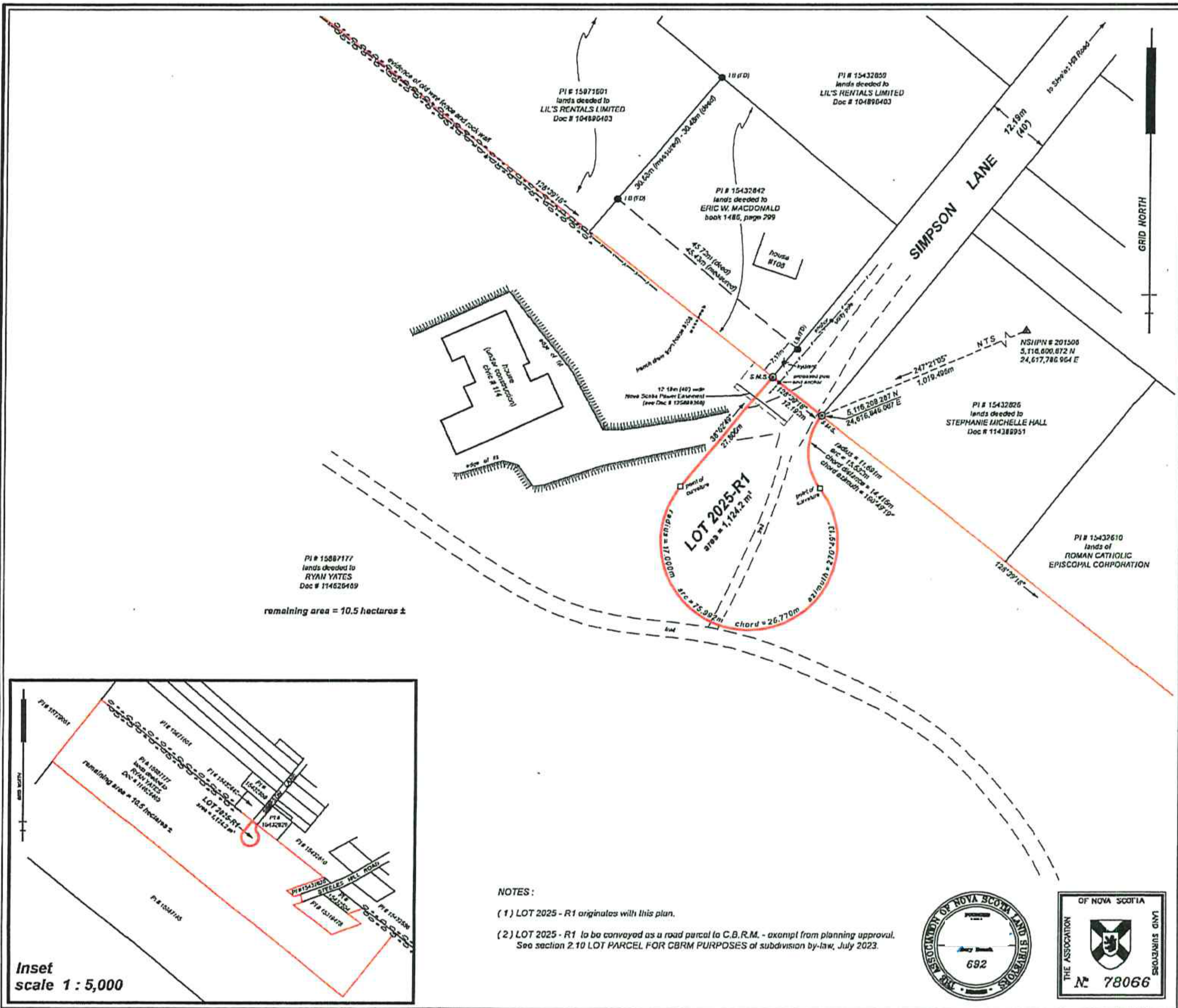
That Committee of the Whole recommend to Council to pass a motion authorizing the acquisition of property by CBRM from Mr. Ryan Yates, as identified in the plan of subdivision, shown outlined as LOT 2025-R1 on the attached plan, at no cost to the Municipality.

Respectfully Submitted:

____

Robert Nearing
Manager of Public Works East

Attachment



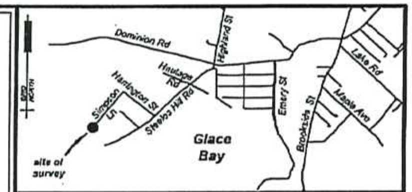
NOTES :

(1) LOT 2025 - R1 originates with this plan.

(2) LOT 2025 - R1 to be conveyed as a road parcel to C.B.R.M. - exempt from planning approval. See section 2.10 LOT PARCEL FOR CBRM PURPOSES of subdivision by-law, July 2023.

ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS
Rory Roach
692

THE ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS
№ 78066



KEY PLAN SCALE: 1 : 25,000

LEGEND:

NOVA SCOTIA HIGH PRECISION NETWORK MONUMENT	NSHPN
SURVEY MARKER SET	S.M.S.
SURVEY MARKER FOUND	S.M.(FD)
IRON BAR FOUND	I.B.(FD)
UTILITY POLE	UP
NOT TO SCALE	NTS
OVERHEAD UTILITY LINES	
FENCE	
BOUNDARIES DEALT WITH BY THIS PLAN	
OTHER BOUNDARIES	
ORDINARY HIGH WATER MARK	
CALCULATED POINT	C.P.
TIE LINE	
TREELINE	
PROPERTY IDENTIFICATION NUMBER	PI # 12345678

COORDINATE SYSTEM AND SURVEY INFORMATION

GNSS SURVEY TYPE:	NRTK	SOURCE:	DRANGTNET	NSHPN:	201506
HORIZONTAL DATUM:	NAD83 (CSRS)	EPOCH:	2010.0	VELOCITY MODEL:	Version 6
PROJECTION:	3° MTM	ZONE:	4	CENTRAL MERIDIAN:	-61°30'
SCALE FACTOR:	1.000061	DISTANCES REFERRED TO ON PLAN:			GRID
UNITS:	METRIC	ADJUSTMENT ID:	NSHPN2016 CGVD	DATE:	2016 - 04 - 26

Field measurements were not adjusted.

This survey was executed during the period March 19, 2025 to May 7th, 2025.

Ties shown are to siding of buildings unless otherwise noted.

Convert from Feet to Metric - Multiply by 0.3048
Convert from Metric to Feet - Divide by 0.3048

SURVEYOR'S CERTIFICATE:

I, Rory Roach, Nova Scotia Land Surveyor, hereby certify that the survey represented by this plan was conducted under my supervision and that the survey and plan were made in accordance with the Land Surveyors Act, Regulations and Standards made there under.

Dated this 2nd day of July, 2025

NOVA SCOTIA LAND SURVEYOR No. 692

PRENDERGAST SURVEYS LIMITED
646 MAIN STREET, GLACE BAY,
CAPE BRETON REGIONAL MUNICIPALITY, N.S.,
PHONE: (902) 849-7225
WEBSITE: www.nslandsurveyor.com

PLAN OF SUBDIVISION SHOWING
LOT 2025 - R1
LANDS DEEDED TO
RYAN YATES
TO BE CONVEYED TO
C.B.R.M. (see plan note #2)
SIMPSON LANE, GLACE BAY,
CAPE BRETON REGIONAL MUNICIPALITY
NOVA SCOTIA

SCALE: 1 : 500

10 m 0 m 10 m 20 m 30 m 40 m
GRAPHIC SCALE - METERS

Drawn By:	Scale:	Sheet Size:
Rory Roach	1 : 500	A2

City Hall
320 Esplanade
Sydney, NS B1P 7B9

Councillor Agenda Request Form

X	**Included on Agenda** (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	**Late Item** (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	**Request from the Floor: (New Business)** - **Announcement** - **Referral** - **Submit Petition** - **Notice of Motion**

Date of Council Meeting: January 13, 2026

Subject: Community Litter: Update

Motion for Council to Consider:
The CBRM Mayor and Council request an update from Our CAO and staff on the review of by-laws, policies, and resource requirements to improve enforcement and enhance anti-litter policies and by-laws within the Cape Breton Regional Municipality.

Rationale:
Constituents within District 8 and throughout the Cape Breton Regional Municipality have been requesting an update since Council moved this request forward on May 6, 2025. The intent is to ensure adequate commercial waste facilities, prevent illegal dumping, and strengthen anti-littering policies and by-laws.

Outcome Sought:
Staff to report back to Council with recommendations for updated by-laws and policies to improve enforcement of litter regulations. If additional time is required following the initial update, staff shall report back to Mayor and Council within eight months of this request.

Steven MacNeil District 8 Councillor *Date January 13, 2026*	*Received by Clerk's Department (date):*

Community Litter

Motion

Moved by Councillor MacNeil, seconded by Councillor Gillespie, to direct staff to review the by-laws, policies, and resource requirements to improve enforcement of anti-litter policies and by-laws as part of the ongoing policy review.

Motion Carried

Litter By-Law

Motion

Moved by Councillor Sheppard-Campbell, seconded by Councillor O'Quinn, to direct staff to create a new stand-alone Litter By-law.

Discussion:

- Littering volumes within the municipality
- Commercial waste receptacles
- Municipal garbage cans
- The need to enforce the forth coming little By-law consistently

Motion Carried

Solid Waste Resource Management By-Law

12. ILLEGAL DUMPING/LITTER

12.1. No owner or occupier of property in the Municipality shall permit the accumulation of solid waste in or around the property to the extent that it is likely to become a nuisance or hazard to the public health.

12.2. Owners and occupants are responsible to provide for the lawful collection and disposal of all solid waste that is not subject to municipal collection.

12.3. No person shall place waste for curbside collection on a property other than a property owned and occupied by such person or in respect of which the person has obtained the consent of the owner or occupier for that purpose.

12.4. No person shall dump, abandon or dispose of waste-resources at any public or private place unless that place is duly licensed to receive and dispose of the particular category of waste-resources.

12.5. No person shall dispose of or cause the disposal of the following materials at any licensed solid waste-resource management facility, or deposit any such materials in a storage area, storage container or collection container, intended for residual waste disposal in an incinerator or landfill nearby, namely:

a. material banned from disposal by provincial regulations:

materials banned from disposal by provincial regulation are those materials listed in Schedule B of the Solid Waste Resource Management Regulations as amended from time to time.

12.6. No person shall dump, dispose of or abandon at or near a Waste-Resource Management Centre or any other facility licensed to receive any category of waste-resources when the Facility is not open or when the operator or staff of the facility refuses to accept waste - resources at that time or from that person.

12.7 Depositing solid waste materials contrary to the above, where the quantity, volume, weight, nature, kind or character of the solid waste or the location of the deposit, in the opinion of the Solid Waste Manager, causes injury, damage, hazard or potential hazard to persons, property or the environment or requires removal by vehicle transport or environmental clean-up and I or remediation to restore the site to reasonable condition, constitutes "Illegal Dumping" under this By-Law.

12.8 No person shall illegal dump or cause or allow illegal dumping.

12.9 Each day that illegal dumping materials remain shall constitute a separate offense under this By-law.

21. DUTY TO NAME PERSON RESPONSIBLE

21.1 When a person is identified as owner of any materials dump or deposited on a premise in violation of this by-law, the owner of the materials on the request of a peace officer shall, within forty-eight hours of the request, supply the peace officer with the name and address of the person(s) responsible of the illegal dumping of materials. When a materials owner, who refuses, fails, neglects or is unable to supply the name and address of the person(s) responsible for the illegal dumping of materials within forty-eight hours after being requested, shall be liable for the infraction under section 12.0 of this By-law.

21.2 Where under this section of the by-law a motor vehicle is operating in violation of this By-Law, the registered owner of the vehicle on request of any peace officer shall, within forty-eight hours of the request, supply the peace officer with the name of address of the person in charge of the vehicle at the time of such violation. When a motor vehicle register owner, who refuses, fails, neglects or is unable to supply the name and address of the person(s) responsible infraction of this By-Law within Forty-eight hours after being requested, shall be liable for the infraction under section 19.0 of this By-Law.

22. PENALTIES

22.1 Any person who contravenes any provision of this by-Law shall be liable upon summary conviction for every such offense to a penalty of not less than six hundred & ninety seven dollars & fifty cents ($697.50) and not exceeding fifty thousand dollars ($50,000) or in default of payment, to imprisonment for a term not exceeding ninety days (90 days) and each day that the offence continues shall constitute a new offence.

22.2 Any person alleged to have violated this bylaw ,who is given notice of the alleged violation and where the said notice so provides for payment , may pay a penalty in the amount of six hundred & ninety seven dollars & fifty cents ($697.50) to the CAPE BRETON REGIONAL MUNICIPALITY provided that said payment is made within a period of fourteen days (14) following the day on which the
alleged violation was committed, and said payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for said violation.

22.3 In addition to any fine or imprisonment imposed pursuant to subsection 21.1, the court or judge may order the person convicted to pay all expenses incurred in correcting the contravention of the By-law or any damages associated with such contravention.

22.4 Where any person is in contravention of any provision of this By-law, the Manager may direct in writing that the contravention be remedied by that person in the manner and within the time specified in the written direction.