

Cape Breton Regional Municipality

Council Meeting

ADDENDUM

TUESDAY, MAY 28, 2024

9:30 A.M.

Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS

Cape Breton Regional Municipality

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Tuesday, May 28, 2024

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ADDENDUM ITEM

7. COUNCIL AGENDA REQUESTS:

- 7.3 Policing of Provincial Highways: Mayor Amanda M. McDougall-Merrill
(See page 3)

Amanda M. McDougall-Merrill

MAYOR, CAPE BRETON REGIONAL MUNICIPALITY

May 27th, 2024

Re: Policing of Provincial Highways

CBRM Community,

We are writing to you today about a serious and urgent issue unfolding in regards to policing services in the CBRM and surrounding area.

CBRM will begin a public awareness campaign this week on the Province's intent to download almost a million dollars in costs to the municipality to provide policing service on provincial highways.

As you are well aware, the Province has always been responsible for the policing of provincial highways. In CBRM, this includes the Route 4/104, 105, 125 and 162 (Prince Mine Road).

The Justice Department is attempting to claim that policing on provincial highways within Cape Breton Regional Municipality (Cape Breton County) is the responsibility of the municipality.

This is a patently unreasonable assertion.

We believe the Nova Scotia Justice Department is wrong in its interpretation of several pieces of legislation and pre-existing agreements. Several legislative acts are clear:

1. 1994 Provincial Service Exchange states: *"Under the reallocation of services, municipal units will become responsible for local police services. Highway patrol and central police services will continue to be the responsibility of the provincial government."*
2. According to the Nova Scotia Police Act (32) (1), the *"Provincial Police shall act as the provincial highway patrol,"* which as per the Provincial Police Service Agreement is the RCMP, who are contracted as the provincial police service in Nova Scotia.



3. The Public Highways Act defines what is a provincial highway: *Section (3) This Act applies to all highways within the Province not included within the boundaries of a city or town or owned by a municipality, and does not, except where expressly provided, apply to highways within the boundaries of cities or towns or owned by a municipality.*
4. Section (2) of the Act defines "city or town" as including the area of a regional municipality that was a city or town immediately prior to the incorporation of the regional municipality. The highways in question are not in any of the former cities or towns. They are all located in the former Municipality of the County of Cape Breton which was not a former city or town. Furthermore, all the highways in question are owned and maintained by the Province of Nova Scotia. Therefore, these highways do not fall in the exclusion set forth in Section 3 of the Act.
5. The Municipal Government Act requires 12 months notice of any change in service delivery that impacts the operations of a municipality. No such notice has been given to CBRM.

The highways are a provincial jurisdiction and policing them is a provincial responsibility.

The Province has indicated to us that they plan to discontinue funding the RCMP to police provincial highways within CBRM. They appear to expect the municipality will assume responsibility for this service, valued at approximately \$1,000,000 per year.

The municipality is asking the Province to either:

1. Continue funding the RCMP as the provider of these services; or
2. Transfer the funding to CBRM to employ the CBRPS to provide the service.

Under no conditions does CBRM accept that our residents should have this cost added to their property tax bills.

Respectfully,

ORIGINAL SIGNED BY

Amanda McDougall-Merrill
Mayor, Cape Breton Regional Municipality