

**RURAL MUNICIPALITY OF ROSSER
REGULAR MEETING
JUNE 8, 2010**

Minutes of the Regular Meeting of Council of the Rural Municipality of Rosser held in the Municipal Council Chambers at Rosser, Manitoba on Tuesday, June 8, 2010 at 9:00 a.m.

PRESENT

Reeve – Alice Bourgouin – present

Councillors:

Ward 1 – George Boonstra – present – left the meeting @ 4:15 p.m.

Ward 2 – Scott Corbett – present

Ward 3 – Gordon Grenkow – present – left the meeting @ 5:00 p.m.

Ward 4 – Kelvin Stewart – present

Chief Administrative Officer (CAO) – Beverley Wells – present

Assistant Chief Administrative Office – Lori Sheldon – present

Public Works Foreman – Randy Slatcher present during the Public Works portion of the meeting.

CALLED TO ORDER

Reeve Alice Bourgouin called the meeting to order at 9:06 a.m.

ADOPTION OF AGENDA

Adopt Agenda

Resolution No. 213/10

Grenkow – Corbett

BE IT RESOLVED THAT the agenda for the June 8, 2010 regular meeting of Council of the Rural Municipality of Rosser is approved, subject to following additions:

Public Works Report

- Grassmere Drain
- James Wood's crossing

Carried

MINUTES

Adopt Minutes

May 25/10

Resolution No. 214/10

Stewart – Boonstra

BE IT RESOLVED THAT the minutes of the regular meeting of Council of May 25, 2010, are approved as circulated.

Carried

FINANCE

Payment of
Accounts

Resolution No. 215/10

Boonstra – Grenkow

BE IT RESOLVED THAT the report of the Legislative and Finance Committee be received, that the following accounts be paid: General cheque numbers 11695 through 11717 in the amount of \$133,960.47, that payments made after the May 25, 2010 meeting cheques numbers 11689 through 11694 in the amount of \$17,486.22 and payroll in the amount of \$12,608.73.

Carried

Financial Report
May 31, 2010

Resolution No. 216/10

Corbett – Stewart

BE IT RESOLVED THAT the Financial Report for the month ended May 31, 2010 is received as information.

Carried

Recreation and
Culture Grants

Resolution No. 217/10

Stewart – Grenkow

BE IT RESOLVED THAT 2010 Recreation and Culture Grants be made to the following:

1. Stony Mountain Community Association – upgrades to outdoor skating ring, resurfacing of 3 ball diamond infields, construction of 2 new ball diamonds, topsoil & seed for 2 soccer fields **\$ 10,000.00;**
 2. South Interlake Rockwood Agricultural Society – expansion of the agriculture building **\$ 10,000.00;**
 3. Marquette Curling Club – construction of a parking lot **\$ 3,000.00.**
- Carried

DELEGATION

- 1) Chris Barsanti, Rosser Development Committee attended the meeting to discuss the May 27, 2010 meeting held regarding construction of CentrePort Canada Way Highway.

CHIEF ADMINISTRATIVE OFFICER REPORT

CAO report contained items as follows:

1. Grantham Law Offices – Bel Acres Golf Course Aggregate Mining issues.
2. Jim Minaker – request to bury ashes in Rosser Cemetery. **Ashes will be allowed to be buried if plots were purchased. Further plots sales will not be allowed.**
3. All-Net.ca –2010 License Fees for Agenda Management software program. **Refer to Resolution No. 218/10.**
4. Manitoba Tax Assistance Office – New cottage property tax deferral program.
5. Association of Manitoba Municipalities – Interlake District Meeting. – June 23, 2010 meeting minutes.
6. BFI – hunting restrictions – Province will post “No Hunting” signs.
7. TD Canada Trust Bank – setup Electronic Bill Payment for utility accounts. **Refer to Resolution No. 219/10.**
8. MMUG – AGM & Conference on June 10-11, 2010 in Portage la Prairie.
9. Interlake Municipal Golf Tournament – June 29, 2010 in Teulon – date has been changed from May 31, 2010.

All-Net.ca – 2010
Licence fee for
an agenda mgmt.
program

Resolution No. 218/10

Grenkow – Boonstra

BE IT RESOLVED THAT the proposal of All-Net.ca to provide an agenda management software, All-Net Meetings, be accepted at a licence fee of \$7,995.00, plus an annual fee for support, data storage and updates of \$2,988.00 commencing in 2011.

Carried

Agree. No. 47-10
TD - Electronic
Bill Payment

Resolution No. 219/10

Stewart – Corbett

WHEREAS subsection 250(2)(d)(i) of “The Municipal Act” authorizes a Municipality to enter into an agreement with a person;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Rosser enters into Agreement No. 47-10, with TD Canada Trust, regarding bill payment for Utility Customers;

AND FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to execute agreement.

Carried

CAO Report

Resolution No. 220/10

Corbett – Grenkow

BE IT RESOLVED THAT the Chief Administrative Officer report and miscellaneous information, publication list dated June 8, 2010 are received as information and dealt with as instructed by Council.

Carried

DELEGATION

- 2) John Shipley, Manitoba Water Stewardship attended the meeting to discuss the installation of a Ford Crossing on Grassmere drain in Pt. SW 25-12- 2 EPM. **The crossing is scheduled to be installed after June 15, 2010.**

PUBLIC HEARING

Conditional Use No. RC 5/10
Owner: P. B. Rentals Inc.
Applicant: Paul Benjamin
Pt. SW ¼ 9-12-2 EPM – PTH 101 NSR

Reeve Bourgouin called the Public Hearing to order at 11:00 a.m. regarding Conditional Use No. RC 5/10. The Owner/Applicant P. B. Rentals Inc./Paul Benjamin to amend a previous Conditional Use (Recreational Vehicle, Travel Trailer and Storage Yard) to apply for approval to include a building so that repairs to the equipment can be preformed on Pt. SW ¼ 9-12-2 EPM – PTH 101 NSR.

Chief Administrative Officer Beverley Wells read out the application.

In attendance for the hearing:

Paul Benjamin information/presentation

Paul Benjamin made a presentation to provide Council with clarification regarding the application.

The Public Hearing was concluded at 11:10 a.m.

Resolution No. 221/10

Boonstra – Corbett

WHEREAS:

CU No. 5/10
P.B. Rentals – to
include a bldg.

- a) The applicant, P.B. Rentals Inc. with permission of the owner, Paul Benjamin wishes to amend a previous Conditional Use (Recreational Vehicle, Travel Trailer and Storage Yard) to include a building to do any repairs required to their equipment as well as the equipment being stored in the compound and consignment sales legally described on Certificate of Title No. 2357603 WLTO, located in Pt SW 9-12-2 EPM, PTH 101 NSR (Service Road);
- b) The property is zoned “A80” Agricultural Zone in the Municipality’s Zoning By-law 4-85;
- c) Part V – Agriculture Zone, Table VI-I Agricultural Use Table requires a conditional use for automobile body shops and service stations;
- d) The Municipality held a public hearing on June 8, 2010, to receive representations of the applicant and any other persons;

THEREFORE BE IT RESOLVED THAT upon completion of the hearing and consideration of the application and the representations made, in accordance with Section 106 of The Planning Act, Council of the Rural Municipality of Rosser hereby order:

Approval of application from P.B. Rentals Inc., File RC 5/10 and conditional use of Part V – Agriculture Zone, Table VI-I Agricultural Use Table to amend a previous Conditional Use File RC 3/09 (Recreational Vehicle, Travel Trailer and Storage Yard) to apply for approval to include a building so that repairs to the equipment can be performed on part of Pt SW 9-12-2 EPM, PTH 101 NSR (Service Road), Certificate of Title No. 2357603, with the following conditions:

The Applicant/Owner understands and appreciates surrounding land use and agrees with the following conditions pertaining to the subject property:

- 1. That applications be made and approvals received as required by Provincial and/or other agencies;

2. That all required municipal or provincial permits be obtained prior to placement of any signage;
3. That all applicable permits be obtained from South Interlake Planning District for any structures;
4. That all requirements for building code and zoning by-law be complied with as applicable;
5. That a Development Agreement be entered into detailing hours of operation, inventory of vehicles, number of employees involved in the operation and other applicable issues, the costs of same to be the responsibility of the applicant;
6. That, if the approved Conditional Use, File RC 5/10 ceases for a period of twelve (12) continuous months, Conditional Use RC 5/10 shall expire;

AND FURTHER BE IT RESOLVED THAT this approval shall expire and cease to have any effect if not acted upon within 12 months of this decision unless an application for an extension of time is requested and approved.

Defeated

CORRESPONDENCE

Correspondence Resolution No. 222/10
Corbett – Boonstra

BE IT RESOLVED THAT the correspondence items received are dealt with as follows:

1. RM of Blanshard – clarification regarding support request for Ecological Goods and Services Program.
2. Manitoba Infrastructure and Transportation – Manitoba passenger transportation survey
3. BFI – 2009 Annual Report
4. Stu Briese, MLA Ste. Rose - Copy of Bill 230 – The Municipal Amendment and The City of Winnipeg Charter Amendment Act.
5. BFI – Flood Relief Program.

Carried

PUBLIC HEARING

Variation Order No. RV 5/10
Owner/Applicant: Outdoor Solutions Inc.
Pt. 2/3 Plan 212 –Pt. NW ¼ 7-12-1 EPM (South of Rosser Cemetery)

Reeve Bourgouin called the Public Hearing to order at 11:35 a.m. regarding Variation Order No. RV 5/10. The Owner/Applicant Outdoor Solutions Inc. to vary the Minimum site area requirement of 20 acres for Sand and Gravel Pit operations FROM 20 acres TO 10.5 to allow for a Sand and Gravel Pits Conditional Use application to be filed on Pt. 2/3 Plan 212 –Pt. NW ¼ 7-12-1 EPM (South of Rosser Cemetery).

Chief Administrative Officer Beverley Wells read out the application.

In attendance for the hearing – no one

The Public Hearing was concluded at 11:40 p.m.

Variation Order No. RV 6/10
Owner/Applicant: Outdoor Solutions Inc.
Pt. SW ¼ 20-12-1 EPM

Reeve Bourgouin called the Public Hearing to order at 11:45 a.m. regarding Variation Order No. RV 6/10. The Owner/Applicant Outdoor Solutions Inc. to vary the Minimum site area requirement of 20 acres for Sand and Gravel Pit operations FROM 20 acres TO 11.44 to allow for a Sand and Gravel Pits Conditional Use application to be filed on Pt. SW ¼ 20-12- 1 EPM.

Chief Administrative Officer Beverley Wells read out the application.

In attendance for the hearing: no one

The Public Hearing was concluded at 11:48 a.m.

Resolution No. 223/10

RV No. 5/10 –
Outdoor Solutions

Stewart – Grenkow

WHEREAS:

- a) The applicant / owner Outdoor Solutions Inc., request a variation in order to vary the minimum site area located on property legally described as Lot 2 and 3, Plan 9212, Pt NW ¼ 7-12-1 EPM, located South of Rosser Cemetery;
- b) The property is zoned “A80” Agricultural Zone in the Municipality’s Zoning By-law 4-85;
- c) Part V – Agricultural Zone, Table V-1 Agricultural Use Table requires a minimum site area of 20 acres sand and gravel pit operations;
- d) The applicant has applied to vary the minimum site area of 20 acres to 10.5 acres;
- e) The Municipality held a public hearing on June 8, 2010, to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Rosser approves Variation Order No. RV 5/10 to vary the minimum site area of 20 acres to 10.5 acres.

Carried

Resolution No. 224/10

RV No. 6/10 –
Outdoor Solutions

Corbett – Stewart

WHEREAS:

- a) The applicant / owner Outdoor Solutions Inc., request a variation in order to vary the minimum site area located on property legally described as Pt. SW 20-12-1 EPM;
- b) The property is zoned “A80” Agricultural Zone in the Municipality’s Zoning By-law 4-85;
- c) Part V – Agricultural Zone, Table V-1 Agricultural Use Table requires a minimum site area of 20 acres sand and gravel pit operations;
- d) The applicant has applied to vary the minimum site area of 20 acres to 11.44 acres;
- e) The Municipality held a public hearing on June 8, 2010, to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Rosser approves Variation Order No. RV 5/10 to vary the minimum site area of 20 acres to 11.44 acres.

Carried

DELEGATION

- 3) Dan DeCraene, City of Winnipeg, attended the meeting to discuss an application to apply WinGRO biosolids within the municipality. **Refer to Resolution No. 225/10.**

Council broke lunch – 12:25 p.m. – 1:20 p.m.

PUBLIC WORKS REPORT

Public Works report contained items as follows:

1. Aniela Andrzejczak – Culvert Application. **No access can be provided because the Plan No. 1249 is obsolete.**
2. Connexion Industries – Product preview & demonstration day on June 23, 2010.
3. MB Water Stewardship – Mulder Construction temporary Water Permit request.
4. Winnipeg Water & Waste Project – WinGRO Program. **Refer to Resolution No. 225/10.**

5. Grosse Isle Sewer & Water Project - Should Set Up Meeting With J R Cousin
6. Quotations:
 - a) Canada Culvert – Replacement on SFX / Rosser Road
 - b) Bituminex Paving Ltd. – Sturgeon Road Overlay. **P/W Foreman to obtain more quotes.**
 - c) Rocky Road Recycling – King Edward Reclaimed Asphalt
7. Washout on SFX / Rosser Road
8. City of Winnipeg – Blocked Culvert
9. Grassmere Drain
10. Jim Wood – Culvert Application. **Refer to Resolution No. 234/10.**
10. Public Works Foreman Report
 - a) New Roche Subdivision - Drainage Issues

Application to
apply biosolids
Pt. 36-12-2W &
Pt. 30-12-2W

Resolution No. 225/10

Corbett – Boonstra

WHEREAS the Rural Municipality of Rosser by Resolution No. 137/10 advised that the City of Winnipeg Water and Waste Department proceed with advertising for the application of biosolids to agricultural land in the Rural Municipality of Rosser, being 480 acres on N ½ and SW ¼ 36-12-2 WPM, owned by Tomatin Farms and 140 acres on the E ½ 30-12-2 WPM, owned by Louis Plazzer through the spring and summer of 2010;

AND WHEREAS the Winnipeg Water and Waste Department advertised the application in the May 7, 2010 edition of The Stonewall Argus with a May 28, 2010 deadline for comments

AND WHEREAS up to and including May 28, 2010 the City of Winnipeg did not receive any questions or concerns regarding this application;

AND WHEREAS the Winnipeg Water and Waste Department has requested the Municipality provide their recommendation on the application to apply the WinGRO biosolids product;

THEREFORE BE IT RESOLVED THAT the City of Winnipeg Water and Waste Department are authorized to proceed with the application of WinGro biosolids for the 2010 spring and summer program on N ½ and SW ¼ 36-12-2 WPM and E ½ 30-12-2W; subject to the following conditions:

1. That the City of Winnipeg (WinGro Program) comply with all the requirements of the Manitoba Environment Act License;
2. That the City of Winnipeg be responsible for all costs related to road, ditch and drainage upgrades, maintenance, dust control and restoration of municipal property used to access the previously described properties;
3. That the application be set back 15 meters from all property lines.

Carried

Public Works
Report

Resolution No. 226/10

Corbett – Stewart

BE IT RESOLVED THAT the Public Works report dated June 8, 2010 is received as information and items dealt with as instructed by Council.

Carried

DELEGATION

- 4) Alan Schick, Utility Supervisor attended the meeting to provide Council with an update regarding the sewer & water project in Grosse Isle.

BY-LAWS

Resolution No. 227/10

Amend BL 3-/09 Corbett – Grenkow
Lagoon BE IT RESOLVED THAT By-law No. 3-09, to regulate the licensing and to establish
Licensing & Fees fees for the use of the Rosser Wastewater Treatment Lagoon by Septic Wastewater
Amendment Contractors be amended as follows:

Refer to Schedule “A” for amendments.

Carried

Councillor Boonstra left the meeting @ 4:15 p.m.

PLANNING

1. SIPD – Conditional Use No. RC 5/10 – P B Rentals. **Refer to Resolution No. 221/10.**
2. SIPD – Variation Order No. RV 5/10 – Outdoor Solutions. **Refer to Resolution No. 223/10.**
3. SIPD – Variation Order No. RV 6/10 – Outdoor Solutions. **Refer to Resolution No. 224/10.**
4. Grantham Law Offices – Modern Organics Development Agreement – Request for clarification.
5. Dave Abas – request for removal of Caveat on NW 23-12-2E. **Refer to Resolution No. 228/10.**
6. Grantham Law Offices – Maurice Steele – Spletzer 2nd Half. **Refer to Resolution No. 229/10.**
7. Grantham Law Offices –Roche Subdivision – Assignment to 5685932 Manitoba Limited - Request to reduce Line of Credit. **Refer to Resolution No. 230/10.**

Resolution No. 228/10

D Abas - request Corbett - Grenkow
to remove caveat WHEREAS Caveat 86-24247 restricts further subdivision of Lot 1 and 2, Plan 19749
WLTO in NW 23-12-2 EPM;

AND WHEREAS David Abas has requested the removal of the caveat in order to
subdivide Lot 2, Plan 19749 WLTO;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Rosser authorize
the removal of caveat 86-24247 from Lot 1 and 2, Plan 19749 WLTO, at no cost to the
Municipality.

Carried

Resolution No. 229/10

Caveat removal Grenkow – Corbett
Inkster Industrial WHEREAS prior to the registration of the Development Agreement for Inkster
Park Industrial Park Winnipeg Land Titles Office requires partial discharge of existing
caveats;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of
Rosser authorizes the partial discharge of Caveat 3133130 (Development Agreement),
3592898 (Development Agreement) and 3260640 (Easement Agreement for Drainage
Works) for Lots 2 and 3, Plan 46902 WLTO, in E ½ of 22-11-2 EPM;

AND FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative
Officer be authorized to execute the partial discharges.

Carried

Resolution No. 230/10

5685932 MB. Grenkow - Corbett
Ltd. Request to BE IT RESOLVED THAT the line of credit be reduced to \$500,000.00 for the
reduce Line of development known as Roche Subdivision – Assignment to 5685932 Manitoba Ltd.
Credit

Carried

COMMITTEE REPORTS

- Committee
Reports
- Resolution No. 231/10
Grenkow – Stewart
BE IT RESOLVED THAT the following committee meeting/reports are received as information:
1. Interlake Community Foundation Inc. – Auditors Report.
 2. M.P.I– Resolution for Motor Vehicle Incident False Alarms. **Refer to Resolution No. 232/10.**
 3. Association of Rural Municipalities – 2010 August Meeting & Annual Golf Tournament. **Refer to Resolution No. 233/10.**
 4. Association of Manitoba Municipalities – June District Meeting
- Carried
- MPIC Car Fire –
Request for
compensation
- Resolution No. 232/10
Corbett – Stewart
WHEREAS there are increased volumes of motor vehicle incidents / accidents being reported by the traveling public by the usage of cell phones;
- AND WHEREAS the traveling public does not stop to confirm if there is an occupant of the motor vehicle or if the occupant requires assistance, and the call to E-911 results in a false alarm;
- AND WHEREAS E-911 upon receipt of a call will always dispatch the Fire Department, which will respond with the required equipment and fire fighters for a motor vehicle accident;
- AND WHEREAS in the Manitoba Capital Region there are several Provincial Highways that surround the City of Winnipeg and connect to rural Manitoba;
- AND WHEREAS the Municipalities in the Manitoba Capital Region are incurring significant costs for the operation of equipment and reimbursement of Volunteer Firefighters time;
- AND WHEREAS Manitoba Public Insurance only contributes to costs of actual emergencies and not to false alarms;
- NOW THEREFORE BE IT RESOLVED THAT the Association of Manitoba Municipalities lobby Manitoba Public Insurance to establish a rate to compensate Municipalities for the costs incurred when responding to motor vehicle false alarms.
- Carried
- ARM – Golf
Tournament
- Resolution No. 233/10
Grenkow – Corbett
BE IT RESOLVED THAT the Council and Staff be authorized to attend the Association of Rural Municipalities – Capital Region Golf Tournament on August 5, 2010, 2010 at Lorette Golf & Country Club;
- AND FURTHER BE IT RESOLVED THAT expenses be paid.
- Carried
- Jim Wood -
Culvert Permit
- Resolution No. 234/10
Corbett – Stewart
BE IT RESOLVED THAT Council approve an application for a culvert crossing on Roll No. 41880 on Lot 9, Plan No. 15164 in Pt. SE 24-11-1 EPM made by Jim Wood.
- Defeated
- Councillor Gordon Grenkow declared a Conflict of Interest and was excused from the meeting.*

PLANNING

1. Grantham Law Offices – Conditional Use – Terry Grenkow Draft Development Agreement – **Reviewed agreement comments to be provided to legal counsel.**

Adjournment Resolution No. 235/10
Corbett – Stewart

BE IT RESOLVED THAT this regular meeting of June 8, 2010 of the Rural Municipality of Rosser is adjourned at 5:20 p.m.

Carried

Reeve
Alice Bourgoiin

Beverley Wells, C.M.M.A.
Chief Administrative Officer

Schedule "A"

BE IT RESOLVED THAT By-law No. 3-10 to regulate the licensing and to establish fees for the use of the Rosser Wastewater Treatment Lagoon by Septic Wastewater Contractors be amended as follows:

1. In title description adding "Rockwood" before "Rosser Wastewater Treatment Lagoon";
2. In the first **WHEREAS** paragraph on Page 1 remove "Section 232(1)(a) and (1) of";
3. After subsection 252(1)(c) adding Section 249 of The Municipal Act;
4. In the **AND WHEREAS** paragraph before **NOW THEREFORE** adding "Rockwood" before "Rosser" and "(hereafter referred to as the "Lagoon")" after "Lagoon";
5. In subsection 1.(a), (b) and (d) removing "Rosser Wastewater Treatment";
6. In subsection 1.(b) adding "the" before "Lagoon";
7. Renumbering Subsection 1.(f) "**Municipality**" to 1.(g) and "**Person**" to 1.(h);
8. In Subsection 1.(f) adding " "**Lagoon**" means the Rockwood Rosser Wastewater Treatment Lagoon.";
9. Removing " "**Septage**" means the sludge produced individual on-site wastewater disposal systems such as septic tanks.";
10. Renumbering "**Septic Hauler**" to Subsection 1.(i), "**Sewage**" to Subsection 1.(j) and Standard Method to 1.(k);
11. Removing the term for "**Sewage**" and adding the following: "means human body, toilet, liquid, water borne culinary, sink, or laundry waste, or wastewater of any kind, and, without limiting the generality of the foregoing, includes domestic and commercial wastewaters, but does not include rain water, natural run-off, or water used exclusively for cooling purposes;"
12. Adding "Subsection 1.(l) "**Wastewater Disposal Vehicle**" means a vehicle used for the disposal of Sewage.";
13. Section 2. removing "the disposal of septage" after "permit" and adding "in its sole discretion the disposal of Sewage" and removal of "Rosser Wastewater Treatment" before Lagoon";
14. Section 3. Removing "septage" and adding "Sewage" and removing "Rosser Wastewater Treatment Lagoon" and at the end of the sentence adding "for each vehicle depositing Sewage into the Lagoon";
15. Section 6. removing "septic truck" and adding "Wastewater Disposal Vehicle", by removing by removing "30 days of" and adding "thirty (30) days from" and removing "automatic" and adding "suspension or";
16. At the end of the last sentence in Section 6. adding "Example: If the Wastewater Disposal Vehicle holds 11,365 liter (2500 gallons), they will be deemed to have deposited 85% of the 11,365 liters each time they deposit into the Lagoon: $11,365 \times 85\% = 9,660.$ "
17. In Section 7. Removing "That the fees shall be as follows:" and adding "That each Wastewater Disposal Vehicle shall pay fees as follows:"

18. In Subsection 7.c) removing “100%” and adding “85%”;
19. In Subsection 7.d) removing “\$50.00” and adding “\$100.00”;
20. In the second sentence of Section 8. adding ”Septic” before “Hauler”; after “Municipality” adding “from where the Sewage was collected” and removing “automatic” and adding “suspension or”.
21. Renumbering Section 9. to 10. and Section 10. to 13. and Section 11. To 14.
22. Section 9. adding “That the Wastewater Disposal Vehicle Licence must be carried with the Septic Hauler and be available for inspection upon request of the Designated Officer or a representative of the Municipality.”
23. Section 11. adding “The Septic Hauler of each Wastewater Disposal Vehicle must comply with all of the provisions of By-law No. 4-10 and any amendments or substitutions therefore.”;
24. Adding Section 12. “That the Septic Hauler must not use a truck hoist or vibrator to discharge or dump Sewage at the Lagoon.”;
25. Section 13., previously Section 10. be removed and the following added “Where deemed necessary, in the opinion of the Municipality or the Designated Office, the Municipality may appoint such person as it may choose to make tests, or install approved monitoring equipment, to determine the character or characteristics of the Sewage being disposed of in the Lagoon. Should such testing disclose that the Septic Hauler is breaching the rules of this By-law then the costs of conducting such tests and installation of test and monitoring equipment shall be borne by the Septic Hauler for all material being deposited in the Lagoon, however if the test results show that the Septic Hauler is in compliance with the By-law then all such costs of conducting such tests and installation of test and monitoring equipment shall be paid for by the Municipality.”;

Adding Section 15. ““Every person who contravenes or refuses, neglects or fails to obey or observe any provision of this By-law is subject to the following penalties:

- a) Is guilty of an offence and is liable upon summary conviction to a fine of not less than \$500.00 or to imprisonment for a term not exceeding one month, or both such fine and imprisonment and/or;
 - i) For the first breach within a calendar year there shall be a 30 day suspension for privileges to use the Lagoon for the specific Wastewater Disposal Vehicle that was used to breach the By-law;
 - ii) For the second breach within a calendar year there shall be a 60 day suspension for privileges to use the Lagoon for the specific Wastewater Disposal Vehicle that was used to breach the By-law;
 - iii) For a third breach within a calendar year there shall be a suspension for a minimum of one (1) year of the privileges of the Septic Hauler to dispose of Sewage in the Lagoon by means of any Wastewater Disposal Vehicle.”
26. Page 2 of Schedule “A”, first paragraph after “monthly basis” add “by the 15th day of the following month”
27. Page 2 of Schedule “A”, second paragraph after “registered septic truck” add “, as more fully set forth in By-law No. 3-10”;
28. Page 2 of Schedule “A”, before the last paragraph add “This licence is subject to the provisions of By-law No. 3-10 and amendments and substitutions thereto.