

Royal



Gazette

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N.S. Reg. 106/2003 and 107/2003

Made: May 22, 2003

Filed: May 22, 2003

Forbes Lake Watershed Protected Water Area Designation and
Forbes Lake Watershed Protected Water Area RegulationsOrder dated May 22, 2003
made by the Minister of Environment and Labour
pursuant to Section 106 of the *Environment Act***CANADA
PROVINCE OF NOVA SCOTIA****IN THE MATTER OF:** the *Environment Act*, S.N.S. 1994-95, c.1, s.106**IN THE MATTER OF:** the designation of an area surrounding Forbes Lake, Pictou County, as a Protected Water Area, to be known as the "Forbes Lake Watershed Protected Water Area"**DESIGNATION OF THE FORBES LAKE WATERSHED PROTECTED
WATER AREA AND THE MAKING OF REGULATIONS WITH RESPECT THERETO****WHEREAS** Section 106 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, provides for the designation by the Minister of Environment and Labour of a protected water area and the making of regulations under subsection (6) to prohibit, regulate or require the doing of any act or acts in a protected water area that may impair or prevent the impairment, as the case may be, of the quality of the water in the Protected Water Area;**WHEREAS** the operator of the Forbes Lake Municipal Water Works, the New Glasgow Water Utility, has requested that the Minister of Environment and Labour designate a portion of the Forbes Lake Watershed as a Protected Water Area in order to protect the quality of the surface water and groundwater resource as a water supply;**AND WHEREAS** the New Glasgow Water Utility has provided opportunities for public consultation, including public meetings and the establishment of the Forbes Lake Watershed Management Committee, an advisory committee comprising elected officials and landowners;**THEREFORE** pursuant to Section 106 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, the undersigned, Ronald S. Russell, CD, Minister of Environment and Labour hereby

- (a) designates an area surrounding Forbes Lake comprising Zones 1 and 2 and more fully described in Schedule "A" as a protected water area, to be known as the "Forbes Lake Watershed Protected Water Area"; and
- (b) makes regulations respecting activity in the Forbes Lake Watershed Protected Water Area, in the form set forth in Schedule "B".

Sgd: *Ron Russell*
Honourable Ronald S. Russell
Minister of Environment and LabourHalifax, Nova Scotia
May 22, 2003

N.S. Reg. 106/2003

Forbes Lake Watershed Protected Water Area Designation

Schedule "A"**Forbes Lake Watershed Protected Water Area
Boundary Description****Zone 1 - Forbes Lake Primary Watershed**

Shown as Primary Watershed on a sketch showing the Forbes Lake watershed area prepared by the New Glasgow Engineering Department, dated August 6th, 1997, and attached hereto as Map "A".

Beginning at a point near or at the center of the spillway at the outfall from Forbes Lake, said point being NS co-ordinate N 5041283.90, E 4411247.20 and following a clockwise direction;

Thence south 89° 35' 40" east a distance of 56.50 meters to N.S. co-ordinate N 5041283.50, E 4411303.70;
Thence south 49° 32' 03" east a distance of 110.02 meters to N.S. co-ordinate N 5041212.10, E 4411387.40;
Thence north 86° 26' 51" east a distance of 479.32 meters to N.S. co-ordinate N 5041241.80, E 4411865.80;
Thence south 21° 19' 09" east a distance of 558.09 meters to N.S. co-ordinate N 5040806.34, E 4412035.50;
Thence south 21° 27' 32" east a distance of 90.73 meters to N.S. co-ordinate N 5040721.90, E 4412068.70;
Thence south 14° 36' 14" west a distance of 112.64 meters to N.S. co-ordinate N 5040612.90, E 4412040.30;
Thence south 22° 30' 08" east a distance of 224.71 meters to N.S. co-ordinate N 5040405.30, E 4412126.30;
Thence south 18° 28' 31" east a distance of 225.31 meters to N.S. co-ordinate N 5040191.60, E 4412197.70;
Thence south 1° 08' 01" east a distance of 121.32 meters to N.S. co-ordinate N 5040070.30, E 4412200.10;
Thence south 24° 26' 09" west a distance of 237.14 meters to N.S. co-ordinate N 5039854.40, E 4412102.00;
Thence south 4° 51' 15" east a distance of 189.08 meters to N.S. co-ordinate N 5039666.00, E 4412118.00;
Thence south 21° 31' 13" east a distance of 564.02 meters to N.S. co-ordinate N 5039141.30, E 4412324.90;
Thence south 24° 29' 08" east a distance of 489.31 meters to N.S. co-ordinate N 5038696.00, E 4412527.70;
Thence south 22° 53' 09" east a distance of 127.54 meters to N.S. co-ordinate N 5038578.50, E 4412577.30;
Thence south 22° 50' 10" east a distance of 568.40 meters to N.S. co-ordinate N 5038054.40, E 4412798.00;
Thence south 75° 35' 31" west a distance of 844.36 meters to N.S. co-ordinate N 5037844.30, E 4411980.20;
Thence south 76° 11' 21" west a distance of 456.19 meters to N.S. co-ordinate N 5037735.40, E 4411537.20;
Thence north 13° 38' 00" west a distance of 210.43 meters to N.S. co-ordinate N 5037939.90, E 4411487.60;
Thence south 62° 43' 53" west a distance of 211.28 meters to N.S. co-ordinate N 5037843.10, E 4411299.80;
Thence south 80° 02' 36" west a distance of 83.86 meters to N.S. co-ordinate N 5037828.60, E 4411217.20;
Thence north 5° 50' 57" east a distance of 172.70 meters to N.S. co-ordinate N 5038000.40, E 4411234.80;
Thence south 57° 06' 26" west a distance of 454.45 meters to N.S. co-ordinate N 5037753.60, E 4410853.20;

Thence north 82° 53' 25" west a distance of 185.83 meters to N.S. co-ordinate N 5037776.60, E 4410668.80;
Thence north 33° 50' 21" west a distance of 202.38 meters to N.S. co-ordinate N 5037944.70, E 4410556.10;
Thence north 22° 50' 29" east a distance of 214.85 meters to N.S. co-ordinate N 5038142.70, E 4410639.50;
Thence north 53° 15' 17" west a distance of 625.48 meters to N.S. co-ordinate N 5038516.9, E 4410138.30;
Thence north 11° 56' 31" west a distance of 688.19 meters to N.S. co-ordinate N 5039190.20, E 4409995.90;
Thence north 1° 48' 14" east a distance of 231.91 meters to N.S. co-ordinate N 5039422.00, E 4410003.20;
Thence north 43° 13' 48" west a distance of 190.63 meters to N.S. co-ordinate N 5039560.89, E 4409872.63;
Thence north 30° 09' 57" west a distance of 211.21 meters to N.S. co-ordinate N 5039743.50, E 4409766.50;
Thence north 18° 03' 11" east a distance of 206.94 meters to N.S. co-ordinate N 5039940.25, E 4409830.63;
Thence north 14° 07' 04" west a distance of 394.87 meters to N.S. co-ordinate N 5040323.20, E 4409734.32;
Thence north 48° 53' 18" east a distance of 686.93 meters to N.S. co-ordinate N 5040774.87, E 4410251.87;
Thence north 75° 18' 58" east a distance of 402.29 meters to N.S. co-ordinate N 5040876.85, E 4410641.02;
Thence north 10° 59' 11" west a distance of 177.63 meters to N.S. co-ordinate N 5041051.22, E 4410607.17;
Thence north 75° 04' 47" east a distance of 299.17 meters to N.S. co-ordinate N 5041128.25, E 4410896.25;
Thence north 60° 35' 04" east a distance of 297.16 meters to N.S. co-ordinate N 5041274.20, E 4411155.10;
Thence north 83° 59' 16" east a distance of 92.61 meters to the place of beginning, said point being N.S. co-ordinate N 5041283.90, E 4411247.20.

Zone 2 - Forbes Lake Secondary Watershed

Shown as Secondary Watershed on a sketch showing the Forbes Lake watershed area prepared by the New Glasgow Engineering Department, dated August 6th, 1997, and attached hereto as Map "A".

Beginning at a point at or near the intersection of the watershed boundary and the center of the Coromonie Road, said point being N.S. co-ordinate N 5037346.16, E 4413964.36 and following a clockwise direction;
Thence north 83° 15' 17" west a distance of 644.37 meters to N.S. co-ordinate N 5037421.85, E 4413324.46;
Thence north 53° 37' 58" west a distance of 221.32 meters to N.S. co-ordinate N 5037553.08, E 4413146.24;
Thence north 33° 31' 01" west a distance of 329.96 meters to N.S. co-ordinate N 5037828.18, E 4412964.04;
Thence north 32° 51' 13" west a distance of 103.57 meters to N.S. co-ordinate N 5037915.18, E 4412907.86;
Thence north 38° 16' 38" west a distance of 177.34 meters to N.S. co-ordinate N 5038054.40, E 4412798.00;
Thence north 22° 50' 10" west a distance of 568.40 meters to N.S. co-ordinate N 5038578.50, E 4412577.30;
Thence north 22° 53' 09" west a distance of 127.54 meters to N.S. co-ordinate N 5038696.00, E 4412527.70;
Thence north 24° 29' 08" west a distance of 489.31 meters to N.S. co-ordinate N 5039141.30, E 4412324.90;
Thence north 21° 31' 13" west a distance of 564.02 meters to N.S. co-ordinate N 5039666.00, E 4412118.00;

Thence north 4° 51' 15" west a distance of 189.08 meters to N.S. co-ordinate N 5039854.40, E 4412102.00;
Thence north 24° 26' 09" east a distance of 237.14 meters to N.S. co-ordinate N 5040070.30, E 4412200.10;
Thence north 1° 08' 01" west a distance of 121.32 meters to N.S. co-ordinate N 5040191.60, E 4412197.70;
Thence north 18° 28' 31" west a distance of 225.31 meters to N.S. co-ordinate N 5040405.30, E 4412126.30;
Thence north 22° 30' 08" west a distance of 224.71 meters to N.S. co-ordinate N 5040612.90, E 4412040.30;
Thence north 14° 36' 14" east a distance of 112.64 meters to N.S. co-ordinate N 5040721.90, E 4412068.70;
Thence north 21° 27' 32" west a distance of 90.73 meters to N.S. co-ordinate N 5040806.34, E 4412035.50;
Thence north 73° 32' 22" east a distance of 394.22 meters to N.S. co-ordinate N 5040918.05, E 4412413.57;
Thence north 73° 10' 41" east a distance of 503.70 meters to N.S. co-ordinate N 5041060.73, E 4412897.41;
Thence north 74° 12' 01" east a distance of 626.48 meters to N.S. co-ordinate N 5041231.30, E 4413500.20;
Thence south 35° 39' 24" east a distance of 352.06 meters to N.S. co-ordinate N 5040945.24, E 4413705.43;
Thence south 36° 25' 14" east a distance of 145.04 meters to N.S. co-ordinate N 5040828.53, E 4413791.54;
Thence south 12° 52' 57" west a distance of 492.22 meters to N.S. co-ordinate N 5040348.70, E 4413681.80;
Thence south 18° 36' 07" east a distance of 227.91 meters to N.S. co-ordinate N 5040132.70, E 4413754.50;
Thence south 36° 45' 17" east a distance of 368.32 meters to N.S. co-ordinate N 5039837.60, E 4413974.90;
Thence south 41° 03' 01" east a distance of 357.99 meters to N.S. co-ordinate N 5039567.63, E 4414210.00;
Thence south 16° 02' 09" east a distance of 206.16 meters to N.S. co-ordinate N 5039369.49, E 4414266.95;
Thence north 74° 15' 48" east a distance of 92.99 meters to N.S. co-ordinate N 5039394.71, E 4414356.46;
Thence south 41° 24' 51" east a distance of 489.25 meters to N.S. co-ordinate N 5039027.80, E 4414680.10;
Thence south 02° 30' 08" west a distance of 409.47 meters to N.S. co-ordinate N 5038618.72, E 4414662.22;
Thence north 84° 25' 03" west a distance of 42.09 meters to N.S. co-ordinate N 5038622.81, E 4414620.33;
Thence south 12° 59' 56" east a distance of 147.92 meters to N.S. co-ordinate N 5038478.68, E 4414653.60;
Thence north 79° 59' 45" east a distance of 16.94 meters to N.S. co-ordinate N 5038481.62, E 4414670.28;
Thence south 12° 01' 23" east a distance of 1172.04 meters to N.S. co-ordinate N 5037335.30, E 4414914.42;
Thence south 75° 03' 09" west a distance of 325.34 meters to N.S. co-ordinate N 5037251.38, E 4414600.09;
Thence north 82° 39' 12" west a distance of 370.22 meters to N.S. co-ordinate N 5037298.72, E 4414232.92;
Thence north 79° 58' 54" west a distance of 272.71 meters to the place of beginning, said point being N.S. co-ordinate N 5037346.16, E 4413964.37.

[Pursuant to clause 3(5)(a) of the *Regulations Act*, publication of Map "A" is dispensed with. A copy of the map is on file with the Registrar of Regulations.]

N.S. Reg. 107/2003

Forbes Lake Watershed Protected Water Area Regulations

Schedule “B”**Regulations Respecting Activities in the Forbes Lake Watershed Protected Water Area made by the Minister of Environment and Labour pursuant to subsection 106(6) of Chapter 1 of the Acts of 1994-95, the *Environment Act*****Citation**

1 These regulations may be cited as the *Forbes Lake Watershed Protected Water Area Regulations*.

Interpretation

2 In these regulations,

- (a) “Act” means the *Environment Act*;
- (b) “agricultural operation” means a farming unit that
 - (i) houses livestock or where livestock graze or are pastured,
 - (ii) has greater than 5 ha of land in forage production, or
 - (iii) has greater than 5 ha of land in annual crop production,or to which any combination of subclauses (i) to (iii) applies;
- (c) “Committee” means the Forbes Lake Watershed Management Committee;
- (d) “Department” means the Department of Environment and Labour;
- (e) “forestry operation” means any activity related to the use of a forest for producing timber, wood fiber or Christmas trees, including but not limited to the following activities:
 - (i) forest management planning,
 - (ii) silviculture,
 - (iii) harvesting,
 - (iv) protection,
 - (v) road construction,
 - (vi) operation, storage and use of equipment and supplies used in any aspect of the activity;
- (f) “Minister” means the Minister of Environment and Labour;
- (g) “nutrient management plan” means a plan for collecting, storing, handling, transporting, applying, treating, using and disposing of agricultural fertilizer, compost, manure and other materials containing nutrients that may be applied to lands, in a manner that prevents the impairment of the quality of the water in the Protected Water Area;
- (h) “pesticide” or “pest control product” has the same meaning as set out in clause 2(q) of the *Pesticide Regulations* made under the Act;
- (i) “professional forester” means a graduate of a recognized Canadian university with at least a bachelor’s degree in forestry;

- (j) “Protected Water Area” means the land and water designated by the Minister pursuant to subsection 106(1) of the Act as the Forbes Lake Watershed Protected Water Area, as described in Schedule “A” to the designation;
- (k) “release” means to spill, discharge, dispose of, spray, inject, inoculate, abandon, deposit, leak, seep, pour, emit, empty, throw, dump, place, drain, pump or exhaust;
- (l) “total degradation time” means the time for the initial concentration of toxic components to biodegrade to the maximum acceptable level permitted in the latest edition of the “Guidelines for Canadian Drinking Water Quality” published by Health Canada;
- (m) “Water Works Operator” means the New Glasgow Water Utility, operator of the Forbes Lake Municipal Water Works;
- (n) “Zone 1” means the area of land situated within the Protected Water Area and designated as Zone 1, as described in Schedule “A” to the designation;
- (o) “Zone 2” means the area of land situated within the Protected Water Area and designated as Zone 2, as described in Schedule “A” to the designation.

Application

3 Unless otherwise stated, these regulations apply to both Zone 1 and Zone 2.

Restricted activities

- 4
- (1) No person is permitted to swim, bathe, wash, or cut ice at any time in Forbes Lake or any other watercourse within Zone 1.
 - (2) No person is permitted to fish from the shoreline or bank of Forbes Lake within 100 m of the intake for the water supply.
 - (3) No person is permitted to wash a vehicle in any watercourse or within 60 m of the shoreline or bank of any watercourse within Zone 1.
 - (4) No person is permitted to, at any time, operate a vessel of any kind, on, through or over Forbes Lake or any watercourse in Zone 1, other than for the protection of the Protected Water Area and unless authorized by the Water Works Operator.
 - (5) No person is permitted to fill a gasoline tank or transfer any liquid fuel from tank to tank on or within 100 m of the shoreline or bank of Forbes Lake or any watercourse within the Protected Water Area, except for the purpose of operating the Forbes Lake Water Treatment Facility or a purpose reasonably incidental to the maintenance of private property.

Posting of signs

- 5
- (1) The Water Works Operator must post signs around the perimeter of the Protected Water Area to provide notice to the general public of the designation of the Protected Water Area.
 - (2) The Water Works Operator must replace any signs posted under subsection (1) that have been damaged or removed.
 - (3) The Water Works Operator must take reasonable measures to advertise and provide notice to the general public of these regulations.
 - (4) No person is permitted to remove or alter any sign, notice or advertisement posted pursuant to this Section.

Fire restrictions

- 6 (1) No person is permitted to set, start, maintain or be responsible for an open fire in the Protected Water Area except for an open fire in a barbecue or fireplace designed for cooking purposes at a residential dwelling in the Protected Water Area.
- (2) Despite subsection (1), during the period from April 15 to October 15 of each year, a person may set, start, maintain or be responsible for a fire in the Protected Water Area if
- (a) the person has a valid permit to burn issued pursuant to the *Forest Fire Protection Regulations* made under the *Forests Act*; and
 - (b) the person complies with the permit to burn and the *Forest Fire Protection Regulations*.

Forestry operations

- 7 (1) No person owning property in excess of 5 ha is permitted to undertake a forestry operation within the Protected Water Area unless the operation is conducted pursuant to a forest management plan that is
- (a) prepared by a professional forester in accordance with the objectives and policies approved by the Committee; and
 - (b) approved in advance by the Water Works Operator.
- (2) Despite subsection (1), a person who owns or occupies property in the Protected Water Area may harvest from the property
- (a) less than 20 cords of wood in any one year; or
 - (b) any amount of wood, so long as it is for their own use.
- (3) A forestry operation within the Protected Water Area must be conducted in accordance with the *Wildlife Habitat and Watercourses Protection Regulations* made under the *Forests Act* and the “Forest/Wildlife Guidelines and Standards for Nova Scotia” issued by the Department of Natural Resources, or its successor document or code of practice, as amended from time to time.

Road construction and watercourse alteration

- 8 (1) No person is permitted to construct a forest access or wood lot road within the Protected Water Area without first obtaining the written approval of the route location from the Water Works Operator.
- (2) A person who is responsible for a forest access or wood lot road constructed under subsection (1) must maintain and repair the road.
- 9 (1) No person is permitted to construct a bridge or culvert or otherwise alter a watercourse within the Protected Water Area without first obtaining
- (a) the written approval from the Water Works Operator; and
 - (b) an approval from the Department.
- (2) An owner, operator or person responsible for a bridge or culvert approved under subsection (1)
- (a) must maintain and repair the bridge or culvert; and
 - (b) is not permitted to remove the bridge or culvert without first obtaining an approval from the Department.

- 10** The construction of a forest access or wood lot road, stream crossing, culvert or other watercourse alteration within the Protected Water Area must be in accordance with the *Wildlife Habitat and Watercourses Protection Regulations* made under the *Forests Act* and the publication “Wood Lot Roads, Stream Crossings” issued by the Department of Natural Resources, or its successor document or code of practice, as amended from time to time.

Pest control products

- 11** (1) No person is permitted to use a pest control product within Zone 1 except with prior written permission from the Water Works Operator.
- (2) No person is permitted to use a pest control product within Zone 2 that contains toxic components having a total degradation time in water exceeding 1 year, except with the prior written permission of the Water Works Operator.
- (3) A pest control product used in an agricultural operation within Zone 1 must be applied only by a certified applicator and only if recommended for use by a professional agrologist and approved under subsection (1).

On-site sewage disposal systems

- 12** (1) No person is permitted to install an on-site sewage disposal system within the Protected Water Area without first obtaining an approval from the Department.
- (2) No person is permitted to construct or install or cause the construction or installation of an on-site sewage disposal system contrary to the *On-site Sewage Disposal Systems Regulations* and the terms and conditions of an approval issued by the Department.
- (3) An on-site sewage disposal system in Zone 1 must be pumped and inspected every 4 years according to the policy described in the “Forbes Lake Watershed Management and Protection Strategy” established by the Committee.

Prohibition on release of substance

- 13** (1) No person is permitted to release or cause or permit the release of oil, petroleum products, soap, detergent, toxic chemicals, pest control product waste, garbage, litter, solid or liquid waste, or any other material that causes or may cause an adverse effect within the Protected Water Area.
- (2) A person who is using mechanical equipment or transporting gasoline or oil within the Protected Water Area is not permitted to release, and must take precautions to prevent the release of, a petroleum product onto the ground or into a watercourse or the runoff from the area.

Prohibition on landfills

- 14** No person is permitted to establish a dump, landfill or waste disposal site within the Protected Water Area.

Agricultural restrictions

- 15** (1) An agricultural operation undertaken within the Protected Water Area must be conducted according to a nutrient management plan prepared by a qualified person in consultation with the Water Works Operator.
- (2) No person is permitted to pasture livestock within Zone 1 at stocking rates in excess of the carrying capacity of the pasture, as determined in the nutrient management plan for the person’s agricultural operation.
- (3) No person is permitted to stockpile or accumulate manure in Zone 1
- (a) within 100 m of any watercourse, well, or drainage ditch, including a public highway ditch; or
- (b) anywhere within Zone 1 where the slope of the land exceeds 5%.

- (4) No person is permitted to apply manure to land in Zone 1 during the period from October 1 in each year to April 30 in the next year.
- (5) No person is permitted to apply manure to land in Zone 1 during the period from May 1 to September 30 in each year unless
 - (a) the application is approved in advance by the Water Works Operator;
 - (b) the application complies with requirements respecting separation distances from watercourses, wells, and drainage ditches, as determined by the Water Works Operator in consultation with the owners of land in Zone 1; and
 - (c) the application rate does not exceed the rate specified in the nutrient management plan for the person's agricultural operation.

Easement restriction

16 No person is permitted to construct a road, pipeline, railway, telephone line, power line or other similar development or grant an easement on, over or across the Protected Water Area, without first obtaining the written approval of the Water Works Operator.

Erosion and sediment control

- 17** (1) No person is permitted to authorize or commence an operation to extract peat, gravel, rock or minerals within the Protected Water Area.
- (2) No owner, occupier, contractor or person responsible for a construction operation or an activity within Zone 1 requiring grubbing or earth moving that would expose more than 250 m² of subbase at any time is permitted to proceed unless they have
- (a) developed an erosion and sedimentation control plan as described in the "Erosion and Sedimentation Control Handbook for Construction Sites", published by the Department; and
 - (b) obtained the prior written approval of the Water Works Operator.
- (3) No person is permitted to release water that has a suspended solid concentration greater than 25 mg/L from a construction site within the Protected Water Area.
- 18** If sedimentation occurs in a watercourse within the Protected Water Area, an operator or person responsible for the sedimentation must undertake immediate action to install erosion and sediment control measures, and immediately notify the Water Works Operator.

Home heating oil tanks and fuel storage tanks

- 19** (1) No person is permitted to install a home heating oil tank, a gasoline fuel storage tank, or a diesel fuel storage tank within the Protected Water Area unless the tank is supported by concrete footings and has a leak detection device and is
- (a) made of stainless steel double wall construction;
 - (b) made of fibreglass; or
 - (c) approved prior to installation in writing by the Water Works Operator.
- (2) A home heating oil tank, a gasoline fuel storage tank, or a diesel fuel storage tank within the Protected Water Area that is not located inside a dwelling or other building must be equipped with a fuel line guard.
- (3) A gasoline fuel storage tank or a diesel fuel storage tank within the Protected Water Area must be surrounded with a concrete containment capable of holding 110% of the volume of the tank.

- (4) No person is permitted to install or construct a home heating oil tank, a gasoline fuel storage tank, or a diesel fuel storage tank within the Protected Water Area that
- (a) holds more than 1136 L; or
 - (b) is located underground.

Consultation with the Committee

20 The Water Works Operator shall consult with the Committee before granting any authorization or approval required by these regulations.

N.S. Reg. 108/2003

Made: May 23, 2003

Filed: May 26, 2003

Summary Offence Tickets Regulations

Order in Council 2003-223 dated May 23, 2003
Amendment to regulations made by the Governor in Council
pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated April 16, 2003, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, is pleased to amend the *Summary Offence Tickets Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, by striking out Schedule 2 and substituting the schedules set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 23, 2003.

ORDER

I, Jamie Muir, Minister of Justice and Attorney General of Nova Scotia, do hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be entered on a summons in respect of any offence set out in the amendments to the Schedules to the *Summary Offence Tickets Regulations* as set forth in Schedule "A", shall be the amount of the out of court settlement set out opposite the description of that offence, and the out of court settlement amount shall include the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

This Order shall be effective on and from the making by the governor in Council of the amendments to the *Summary Offence Tickets Regulations* set out in Schedule "A".

DATED AND MADE April 16, 2003, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd: *J. Muir*
Jamie Muir
Minister of Justice and
Attorney General of Nova Scotia

Schedule "A"

**Schedule 2
Dangerous Goods Transportation Act**

Offence	Section	Out of Court Settlement
1. Failing to comply with reasonable request of inspector	9(5)(a)	\$1020.00
2. Obstructing or hindering inspector	9(5)(d)	\$1020.00

**Schedule 2A
Regulations adopted pursuant to the
Dangerous Goods Transportation Act**

**Transportation of Dangerous Goods Regulations (Canada)
(as adopted by the Transportation of Dangerous Goods Regulations)**

Offence	Section	Out of Court Settlement
1. Transporting forbidden dangerous goods listed in column 3 of Schedule 1 or column 4 of Schedule 3 (specify column, schedule and goods)	1.5(1)	\$1020.00
2. Transporting forbidden dangerous goods listed in column 8 or 9 of Schedule 1 (specify column and goods)	1.5(2)	\$1020.00
3. Transporting dangerous goods in excess of quantity limit set out in column 8 or 9 of Schedule 1	1.6	\$1020.00
4. Transporting dangerous goods where means of containment or transport do not display all applicable prescribed safety marks (specify)	1.7(c)	\$560.00
5. Transporting explosives in prohibited manner (specify)	1.8(a)	\$1020.00
6. Failing to keep shipping document in specified location (specify)	3.2(4)	\$560.00
7. Transporting dangerous goods without required information (specify) on shipping document	3.5	\$560.00
8. Transporting dangerous goods without proper dangerous goods safety mark (specify)	4.1	\$560.00
9. Displaying misleading safety mark (specify)	4.2	\$1020.00
10. Transporting dangerous goods in means of containment not permitted by regulation	5.1(1)	\$1020.00
11. Transporting dangerous goods in standardized means of containment not in standard	5.1(2)	\$1020.00
12. Transporting dangerous goods in means of containment not filled, closed, secured or maintained (specify) so that there will be no accidental release under normal conditions	5.1.(3)	\$1020.00
13. Loading dangerous goods in means of containment in a way that could lead to accidental release under normal conditions	5.4	\$1020.00
14. Securing dangerous goods in means of containment in way that could lead to accidental release under normal conditions	5.4	\$1020.00

Offence	Section	Out of Court Settlement
15. Filling means of containment with dangerous goods in excess of specified limit (specify)	5.5	\$560.00
16. Transporting explosives in same means of transport other than as permitted by regulation	5.7	\$1020.00
17. Transporting explosives in net explosive quantity exceeding that permitted by regulation (specify)	5.9	\$1020.00
18. Transporting Class 2 dangerous goods in improper means of containment (specify)	5.10	\$1020.00
19. Transporting dangerous goods without holding valid training certificate or being under supervision of adequately trained person (specify)	6.1(1)	\$1020.00
20. Failing to produce training certificate or copy to inspector immediately upon request	6.8	\$330.00
21. Failing to report accidental release to person referred to in subsection 8.1(5) (specify) if release consists of quantity or emission in excess of level set out in table (specify)	8.1(1)	\$1020.00

N.S. Reg. 109/2003

Made: May 29, 2003

Filed: May 30, 2003

Children and Family Services Regulations

Order in Council 2003-236 dated May 29, 2003

Amendment to regulations made by the Governor in Council pursuant to Section 99 of the *Children and Family Services Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated May 8, 2003, and pursuant to Section 99 of Chapter 5 of the Acts of 1990, the *Children and Family Services Act*, is pleased to amend the *Children and Family Services Regulations* made by the Governor in Council by Order in Council 91-954 dated August 15, 1991, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 29, 2003.

Schedule "A"

Amendments to the *Children and Family Services Regulations* made pursuant to Section 99 of Chapter 5 of the Acts of 1990, the *Children and Family Services Act*

- 1 Section 4 of the *Children and Family Services Regulations* made by the Governor in Council by Order in Council 91-954 dated August 15, 1991, is amended by adding the following clause immediately after clause (j):
 - (ja) "place of safety" means a place or one of a class of places approved as a child-caring facility for the emergency temporary care and protection of a child as may be required under the Act and regulations;
- 2 Section 32 of the regulations is amended by adding the following subsections immediately after subsection (2):
 - (3) Sections 8 and 13 to 30, inclusive, do not apply to a place of safety.

- (4) An agency shall not approve a place as a place of safety unless the place of safety complies with the policy of the Department of Community Services with respect to places of safety.

N.S. Reg. 110/2003

Made: May 13, 2003

Filed: June 2, 2003

Bulk Haulage Regulations

Order dated May 13, 2003
made by the Dairy Farmers of Nova Scotia and
approved by the Natural Products Marketing Council
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

DAIRY FARMERS OF NOVA SCOTIA

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on April 25, 2003, amended the *Bulk Haulage Regulations* in the manner set out in the form attached to this certificate as Schedule "A", effective on and after May 1, 2003.

DATED AND SIGNED at Truro, Nova Scotia, May 20, 2003

Sgd: *Brian Cameron*
Brian Cameron
General Manager
Dairy Farmers of Nova Scotia

APPROVED BY the Natural Products Marketing Council at Truro, Nova Scotia, May 13, 2003.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the *Bulk Haulage Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to clause 15(1)(b) and 15(1)(e)
of Chapter 24 of the Acts of 2000, the *Dairy Industry Act***

Clause 7(a) of the *Bulk Haulage Regulations* made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on August 13, 2002, is amended by

- (a) striking out "\$2.25" directly opposite "Bedford Transport Limited" and substituting "\$2.22";
- (b) striking out "\$2.56" directly opposite "Scotsburn Co-op Services Limited" and substituting "\$2.57";
- (c) striking out "\$2.10" directly opposite "Fisher Transport Limited" and substituting "\$1.93";
- (d) striking out "\$2.25" directly opposite "Cook's Dairy Farm Limited" and substituting "\$2.23".